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SONS OF VETERANS DIGEST

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UNITED STATES OF AMERICA.

DIGEST
OF
DECISIONS AND OPINIONS
OF THE
Commanders-in-Chief
AND
Judge-Advocates-General
OF THE
SONS OF VETERANS
United States of America

BY
EDWARD K. GOULD
JUDGE-ADVOCATE-GENERAL
1897-98

ROCKLAND, MAINE.
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1897.



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By EDWARD K. GOULD.

HEADQUARTERS COMMANDERY-IN-CHIEF,
SONS OF VETERANS, U. S. A.

DEPARTMENT OF COMMANDER-IN-CHIEF,
947 Tremont Building,
BOSTON, MASS., November 30, 1897.

SPECIAL ORDERS, }
NO. 2. }

As it will be impossible to publish the Blue Book this present term, and as there is an imperative demand for some work of this kind, that the official decisions and opinions may be in form for ready reference, *Judge-Advocate-General Edward K. Gould* is hereby authorized and instructed to prepare for the use of the Order a Digest of such Decisions of the Commanders-in-Chief and Opinions of the Judge-Advocates-General as are now in force, and to print and furnish the same to the Quartermaster-General, he in turn to issue them, on requisition, to Divisions, at such price as to afford both the Commandery-in-Chief and Divisions a reasonable profit in the sale of the work.

{ SEAL }

By command of
CHARLES K. DARLING,
Commander-in-Chief.

Official:

FRED E. BOLTON,
Adjutant-General.

COMMANDERS-IN-CHIEF AND JUDGE-ADVOCATES-GENERAL

During the Time of the Decisions and Opinions in this Digest

1889-1890

Commander-in-Chief, CHARLES F. GRIFFIN, of Indiana

Judge-Advocate-General, O. B. BROWN, of Ohio

Opinions in Sons of Veterans Blue-Book

1890-1891

Commander-in-Chief, LELAND J. WEBB, of Kansas

Judge-Advocate-General, BARTOW S. WEEKS, of New York City

Decisions pp. 28-52; Opinions pp. 102-108, Proceedings 10th Annual Encampment;
also Opinions pp. 41-42, Proceedings 11th Annual Encampment

1891-1892

Commander-in-Chief, BARTOW S. WEEKS, of New York City

Judge-Advocate-General, R. SHAW VAN, of Iowa

Decisions pp. 29-38; Opinions pp. 38-41, Proceedings 11th Annual Encampment

1892-1893

Commander-in-Chief, MARVIN E. HALL, of Michigan

Judge-Advocate-General, W. SCOTT BEEBE, of Oregon

Decisions pp. 24-34, Opinions 88-96, Proceedings 12th Annual Encampment

1893-1894

Commander-in-Chief, JOSEPH B. MACCABE, of Massachusetts

Judge-Advocate-General, W. H. RUSSELL, of Kansas

Decisions pp. 20-30, Opinions 91-104, Proceedings 13th Annual Encampment

1894-1895

Commander-in-Chief, WILLIAM E. BUNDY, of Ohio

Judge-Advocate-General, GRANT W. HARRINGTON, of Kansas

Decisions pp. 22-48, Opinions 116-122, Proceedings 14th Annual Encampment

1895-1896

Commander-in-Chief, W. H. RUSSELL, of Kansas

Judge-Advocate-General, R. B. OGLESBEE, of Indiana; also NEWTON J. MCGUIRE, of
Indiana

Decisions pp. 40-51, Opinions pp. 104-106, Proceedings 15th Annual Encampment

1896-1897

Commander-in-Chief, JAMES LEWIS RAKE, of Pennsylvania

Judge-Advocate-General, JOHN REDMOND, of Kansas

Decisions I.-XXII., Opinions I.-VIII., Proceedings 16th Annual Encampment (In Press)

1897-1898

Commander-in-Chief, CHARLES K. DARLING, of Massachusetts

Judge-Advocate-General, EDWARD K. GOULD, of Maine

Decisions I.-VIII., Opinions I.-VI., this Digest

DIGEST OF DECISIONS AND OPINIONS

EXPLANATION.—The meaning of the figures and abbreviations employed in this Digest is as follows: Dec., decision; Op., opinion; C., R. & R., Constitutions, Rules, and Regulations; S. of V., Sons of Veterans; G. A. R., Grand Army of the Republic; Com.-in-Chief, Commander-in-Chief; J. A. Gen., Judge-Advocate-General; P. C., password and countersign; 5th, the number of the Encampment in the printed proceedings of which the opinion or decision cited is reported, thus "Com.-in-Chief Bundy, Dec. V., 14th, 24," refers to decision five of Commander-in-Chief William E. Bundy, Proceedings of the 14th Annual Encampment, page 24. Meaning of technical terms employed in this work: *De novo*—anew, afresh; *nunc pro tunc*—now for then, (a phrase used to express that a thing is done at one time which ought to have been done at another); *de hors*—without, out of, foreign, irrelevant; *ab initio*—from the beginning.

ACCEPTED—See Division Encampment.

ACTION AT LAW—See Bond.

ADJOURNMENT—See Court Martial.

ADOPTED SON—See Membership.

ADMISSION—See Division Encampment, Court Martial.

ADDITIONS—See Honorable Discharge.

AFFIRM—See Court Martial.

AFFIDAVITS—See Court Martial.

AGREEMENT WITH MAJOR A. P. DAVIS—See Council-in-Chief.

ALLEGIANCE—See Membership.

AMENDMENTS—See Constitutional Amendments.

ANCESTOR'S RECORD—See Membership.

ANNUAL MEETING—See Division Encampment.

APPLICATION—See Camp, Dropped Member, Membership, Leave of Absence.

APPLICATION FOR DEGREES—See Membership.

APPLICANT—See Membership, Charter Fee.

APPEAL—Appeals lie from decisions of the Division Commander, or Division Encampment, to the Commander-in-Chief, and from that official to the Commandery-in-Chief.

Com.-in-Chief Webb, Dec. LVIII., 10th, 44.

There is no appeal from the Commandery-in-Chief to the Commander-in-Chief from court martial proceedings. The proceedings of a Commandery-in-Chief, if reviewable at all, could only be reviewed by a subsequent Commandery.

Com.-in-Chief Griffin LXXXIII., Blue Book 77.

A member can appeal to the camp from the decision of his Captain on any question, whether constitutional or not, and either such member or the Captain may, if aggrieved, appeal from the judgment and decision of the camp to the Colonel (Division Commander) or the Division Encampment.

J. A. Gen. Weeks, Op. IV., 10th, 103.

See Court Martial, Dropped Members. Division Encampment.

APPOINTMENTS. PRO TEM—See Division Encampment.

ARREARS—See Past Captain, Division Commander, Camp.

ARMS AND EQUIPMENTS—See Swords.

ARMY AND NAVY—When this term is used in the broad sense of the eligibility clause it comprehends the Engineer, Medical, Pay, Ordnance, Signal Corps, and all other branches of the service.

Com.-in Chief Russell, Dec. XX., 15th, 48.

ASSUMED NAME—See Membership.

AUTHORITY—See Membership.

BADGES—Must not be plated.

Com.-in-Chief Griffin, Op. XCIII., Blue Book 86.

BALLOT—Is necessary for each degree before candidate can receive them.

Com.-in-Chief Bundy, Dec. XIV., 14th, 29.

A candidate having received the first and second degrees, and on ballot for the third was *rejected*, it has been held that his standing in the Order is limited to presence and participation in the muster ceremonies of his own degree, but he cannot remain during work in any other degree, or during the transaction of business.

Com.-in-Chief Bundy, Dec. XIV., 14th, 30.

Brothers having objections to candidates for membership are not obliged to state them, and it is their privilege and duty to vote as they deem for the best interests of the Order, and

when they exercise that right, neither the Captain nor the Camp has a right to challenge their motives, and, if a sufficient number of black balls is cast to reject the candidate, the Captain must so declare the result.

Com.-in-Chief Webb, Dec. LXIV, 10th, 46.

See Transfer, Division Encampment, Membership.

BACK TAX—See Membership—Suspended, Membership—Dropped.

BEST EVIDENCE—See Court Martial.

BLIND—See Membership.

BLACK BOOK—See Membership, Dropped Members.

BLACK BALLS—See Membership.

BLUE BOOK, S. OF V—Griffin's Sons of Veterans Blue Book was abolished by action of the Commandery-in-Chief at the Dav-enport Encampment.

Com.-in-Chief Bundy, Dec. XXIV., 14th, 34.

BLUE BOOK, G. A. R.—Is only used as a guide, and the decisions therein are not accepted as final or conclusive authority on S. of V. law.

Com.-in-Chief. Bundy, Dec. XXIV., 14th, 34.

BONDS—Time limit of liability of principal and sureties upon bond of a Division Commander is decided to be one year from and after retirement from office, and after the affairs and accounts of his successor are passed upon.

Com.-in-Chief. Russell, Dec. XXVIII., 15th, 51.

Bond of Division Commander may be canceled by the Quartermaster-General and delivered to principal, after one year from his retirement, if his affairs and accounts are correct, and are so certified by the Division Council.

Com.-in-Chief Russell, Dec. XXVIII., 15th, 51.

A resort to equity is not necessary to recover the sum mentioned in the bond from the obligator, when remedy at law is adequate.

J. A. Gen. Beebe, Op. XXVII., 12th, 96.

Words "to hold in trust" in a bond in no legal sense affect the obligations of the person executing it, or the rights of the person to whom the bond is made payable.

J. A. Gen. Beebe, Op. XXVII., 12th, 96.

Not necessary to pay a money consideration to the obligator in order to insure the validity of the bond, nor is the recitation of a money consideration in the bond necessary.

J. A. Gen. Beebe, Op. xxvii., 12th, 96.

The person to whom the bond runs is authorized to recover the amount in an action at law, and when collected he holds it in trust for the camp.

J. A. Gen. Beebe, Op. xxvii., 12th, 96.

See Division, Quartermaster-Sergeant.

BURGLARY—See Membership.

BY-LAWS—Of camps which permit the reinstatement of a dropped member for less than one year's dues are illegal.

Com.-in-Chief Weeks, Dec. xxi., 11th, 33.

A by-law establishing a fee for a transfer is legal.

Com.-in-Chief Weeks, Dec. xx., 11th, 23.

A by-law is operative from date of approval, and money paid for transfer cards, under said by-laws and prior to date of approval, must be considered as paid under coercion, and must be refunded to the members paying same.

Com.-in-Chief Weeks, Dec. xxxvi., 11th, 36

Camps should regulate muster fee and dues, if any, of each degree by proper by-laws.

Com.-in-Chief Bundy, Dec. xiv., 14th, 30.

A section providing that any article or section of the division by-laws "may be suspended for any one meeting by a two-thirds vote of all the brothers present at such meeting," is both constitutional and parliamentary.

Com.-in-Chief Griffin, Op. liii., Blue Book 48.

Division by-laws are but the expressed will of a Division Encampment, and a special law later than the general one previously enacted should govern.

Com.-in-Chief Bundy, Dec. xxxviii., 14th, 38.

A division by-law requiring Captains to give bonds is legal.

Com.-in-Chief Webb, Dec. l., 10th, 41.

A division by-law which reads, "Each camp shall be required to pay the expenses of at least one representative to each Division Encampment" is unconstitutional.

J. A. Gen. Shaw Van, Op. xii., 11th, 40.

A division by-law provides for the annual meeting of the Division Encampment between June 1st and June 30th of each year but the encampment fixed its next meeting for May 22, *held* that the Commander-in-Chief had no authority to grant a dispensation to change the time of meeting, but that the action of the encampment was legal and the meeting could properly occur May 22 at this date was within the limit provided by the C., R. & R.

Com.-in-Chief Bundy, Dec. XXXVIII., 14th, 38.

The camp can, with or without by-laws, charge or refuse to charge the quarterly dues to a member for the quarter in which he was mustered.

J. A. Gen. Shaw Van, Op. XVII., 11th, 41.

A section of a camp's by-law which reads as follows, is valid: "Sec. 3. Any brother proposing a candidate for membership, shall have the privilege or withdrawing his proposition prior to balloting."

Com.-in-Chief Webb, Dec. XIII., 10th, 30.

Unless fines are provided for in the camp by-laws, they cannot be imposed by vote of the camp and their collection enforced.

Com.-in-Chief Webb, Dec. XV., 10th, 31.

An amendment to a camp's by-laws providing for fines, can be enforced against members who signed the camp by-laws prior to the adoption of such amendment.

Com.-in-Chief Webb, Dec. XV., 10th, 31.

A camp by-law reading "A brother must pay \$1 for an honorable discharge" is valid.

Com.-in-Chief Webb, Dec. XXIX., 10th, 34.

The following section of camp by-laws is unconstitutional as it authorizes a punishment not recognized by the C., R. & R., viz.: "Sec. 2. Any comrade receiving tickets belonging to this camp, for the purpose of selling the same for the benefit of the camp, for any entertainment, ball or reception, shall make returns therefor within a specified time (to be designated by the camp), and in the event of any comrade failing so to do, an amount equal to the value of the tickets shall be charged to his account as dues."

Com.-in-Chief Webb, Dec. LXVI., 10th, 47.

See Transfer, Division, Membership.

CANCELLATION—See bonds.

CANDIDATE—See Camp, Ballot.

CAMP—Special meetings of the camp can be called by the Captain without the written request of seven members.

Com.-in-Chief Bundy, Dec. xv., 14th, 30.

A camp can move from one division to another, when composed of soldiers in the regular army of the United States.

Com.-in-Chief Russell, Dec. iii., 15th, 40.

A camp in Ogden, Utah, chartered by the Commander of the Washington Division, should not be numbered one (1), but should be given a number not borne by any camp in the Washington Division.

Com.-in-Chief Bundy, Dec. xxxiv., 14th, 37.

The reading of general orders cannot be omitted upon any pretext or under any circumstances.

J. A. Gen. Russell, Op. v., 13th, 92.

No part of the "order of business" can be omitted at a regular meeting of a camp, but any part of it may be transposed by a two-thirds vote.

J. A. Gen. Russell, Op. v., 13th, 92.

A camp cannot remit the dues of a First Sergeant, Quartermaster Sergeant and members of drum corps for services rendered. Sec. 3, Article IV., Chapter V., C., R. & R., prescribes the only conditions under which the camp is authorized to remit the dues of its members.

J. A. Gen. Russell, Op. v., 13th, 92.

A recruit can be mustered at a special meeting of the camp provided that the call for same specifies that the muster is to take place.

Com.-in-Chief Bundy, Dec. xv., 14th, 31.

A motion to adjourn can legally interrupt "order of business," but the camp must be closed in due form as per ritual.

Com.-in-Chief Russell, Dec. ii., 15th, 20.

Even though the Division Commander had exceeded his authority in directing a member on transfer to muster a camp, still the recruits would stand in the position of innocent purchasers and be entitled to the rights and privileges of the Order.

J. A. Gen. Harrington, Op. vii., 14th, 119.

When a division embraces more than one state, camps in different states of said division cannot have the same name.

Com.-in-Chief Weeks, Dec. VII., 11th, 30.

The C., R. & R. provides that the Division of Pennsylvania may have duplicates of camps numbered 2, 4, 9, 33, etc. This law was enacted to facilitate consolidation of other systems with the Sons of Veterans, U. S. A., in this division. Duplicate numbers should not be conferred upon any new camp in this division, so long as either one of the old ones bearing this number remain in existence.

Com.-in-Chief Bundy, Dec. LV., 14th, 45.

A camp may move from one village to another within the same division, with the approval of the Division Commander, and a new charter will issue.

Com.-in-Chief Weeks, Dec. IX., 11th, 30.

Camps must be regularly opened and closed as per ritual.

Com.-in-Chief Webb, Dec. XXIII., 10th, 33.

A camp not uniformed or equipped is not subject to discipline on that account.

Com.-in-Chief Bundy, Dec. XLVII., 14th, 42.

A camp cannot, after receiving an application for membership at a regular meeting, and after transacting its business and closing in due form, legally call the brothers together in camp session for action on the application.

Com.-in-Chief Hall, Dec. XXXIV., 12th, 31.

A camp by vote may refuse admittance to a visiting brother, or, after the visitor is admitted, might vote to request him to retire, with due regard always to the principles of courtesy and fraternity.

Com.-in-Chief. Griffin, Op. LXXIII., Blue Book, 70.

A representative who refuses to obey instructions of camp to vote for a particular candidate for division office cannot be removed by vote of camp. His case can only be decided by court martial.

J. A. Gen. Russell, Op. XXXVIII., 13th, 104.

I. SUSPENSION OF CAMPS.

Ignorance of the law relating to the suspension of camps, no legal reason why the action of a Division Commander suspending a camp for failure to make quarterly reports should be reversed.

Com.-in-Chief Webb, Dec. LII., 10th, 42.

A camp cannot be suspended, except for failure to make quarterly reports, pay per capita tax, or violation of the C., R. & R.

Com.-in-Chief Bundy, Dec. XLVIII., 14th, 42.

A suspended camp cannot hold a legal election of officers until reinstated.

Com.-in-Chief Webb, Dec. XXXI., 10th, 35.

The only thing a suspended camp can do is to pay back dues and ask for reinstatement.

Com.-in-Chief Webb, Dec. XXXI., 10th, 35.

Past officer of a suspended camp, or of one whose charter has been revoked, cannot join any camp and retain his past honors without a transfer card from his Captain or the Division Commander.

Com.-in-Chief Webb, Dec. XXIV., 10th, 33.

A camp suspended can be reinstated before the charter is revoked upon paying all per capita tax due, and upon making and filing all delinquent reports to date.

Com.-in-Chief Bundy, Dec. XLIV., 14th, 40.

A camp that for years has been in open rebellion and refuses to comply with legal orders from competent authority, the several Captains of same resorting to subterfuge to evade compliance, can be suspended by the Division Commander, provided the camp as a whole, and not certain individuals, are responsible for the condition of affairs.

Com.-in-Chief Bundy, Dec. XL., 14th, 39.

II. CAMPS DISBANDED AND DROPPED.

A camp four quarters or more in arrears cannot be dropped except by order of the Division Colonel (Commander).

Com.-in-Chief Webb, Dec. XXXI., 10th, 35.

A disbanded camp is one which, from any cause, has ceased to exist. It matters not in what way the dissolution occurs; whenever it has ceased to have a legal existence, it is a disbanded camp.

J. A. Gen. Shaw Van, Op. XIV., 11th, 40.

No difference in the standing of a disbanded camp and one that has surrendered its charter.

J. A. Gen. Russell, Op. XII., 13th, 94.

A camp one year or more in arrears for reports and per capita tax is a disbanded camp, notwithstanding that formal revocation of its charter has not been made.

J. A. Gen. Beebe, Op. XIX., 12th, 93.

The division cannot claim money, flags, furniture, guns, side arms, drums, etc., of a disbanded camp.

J. A. Gen. Shaw Van, Op. VII., 11th, 39.

A camp reinstating a dropped member must pay one year's back tax on him to the division, and the division to the commandery-in-chief.

Com.-in-Chief Bundy, Dec. LXVI., 14th, 48.

A camp that has notice that an applicant is a dropped member of another camp and has not paid the camp a year's back dues, yet still persists in mustering him, is liable to have its charter revoked.

Com.-in-Chief Bundy, Dec. L., 14th, 43.

A camp legally disbanded cannot be reinstated.

Com.-in-Chief Russell, Dec. VII., 15th, 42.

A camp is not liable to the division for per capita tax on a dropped member during the period he is dropped.

Com.-in-Chief Webb, Dec. XLIX., 10th, 41.

A camp cannot charge dues against a dropped member during the period he is dropped.

Com.-in-Chief Webb, Dec. XLIX., 10th, 41.

See Appeal, By-Laws, Council-in-Chief, Charter, Chaplain, Charter Fee, Division, Division Encampment, Division Commander, Division Office, Dispensation, Grand Army of the Republic, Honorable Discharge, Membership, Officers, Past

Captain, Per Capita Tax, Property of Camp, Ritual, Regulation Badge, Swords, Transfer Card, Uniformed Camp, Uniform—Turkish Zouaves.

CAMP NAME—No two camps in the same division shall have the same name. The names “Abraham Lincoln” and “Lincoln” are practically the same.

Com.-in-Chief Griffin, Op. 1., Blue Book 9.

CAMP OFFICE—Not necessary a member be present at the meeting at which an election is held to be elected to a camp office.

Com.-in-Chief Russell, Dec. x., 15th, 44.

Majority vote necessary to elect to camp office.

Com.-in-Chief Russell, Dec. x., 15th, 44.

A brother elected and installed into camp office when six months in arrears, his election is void *ab initio*, and the office should be declared vacant by the Division Commander if a Captain, First or Second Lieutenant, otherwise by the Camp Commander.

Com.-in-Chief Bundy, Dec. xxviii., 14th, 36.

A First Lieutenant elect fails to present himself for installation at the appointed time, leaving town without notifying the camp, and having presented no cause therefor, *held* his action should be treated as a declination of the office.

Com.-in-Chief Webb, Dec. 1., 10th, 28.

It is proper for the officers of a camp uniformed, but not equipped, to wear side arms.

Com.-in-Chief Webb, Dec. LXV., 10th, 46.

An election of a camp officer was held to fill a vacancy, and was claimed to be illegal on the ground that the Quartermaster-Sergeant of the camp was not present at the time of election, that the camp council was not in session, that no list of the members of the camp had been made who were eligible to vote as required by the Constitution, and Com.-in-Chief Griffin's Dec. xxviii., dated March 5, 1890, is cited in support, *held* that the election is legal for the reason that it is not shown that any person voted at this election who was not entitled to vote; from all that appears the election was fairly conducted; the record discloses notice to members of the

camp; that the captain elected at the time was duly installed, and that his title to the office was not questioned for several months thereafter. The defects above mentioned can only be taken advantage of by an objection to such an election and an appeal therefrom at the time it took place—at least such objection must be made prior to installation.

Com.-in-Chief Webb, Dec. LVI., 10th, 43.

A Camp Chaplain has the rank without command, of Captain of Infantry.

Com.-in-Chief Griffin, Op. XXXII., Blue Book 29.

A person elected to any camp office is not an officer until duly installed. If an officer-elect resigns, the camp may proceed to elect another in his place without his resignation being acted upon by the Division Commander.

Com.-in-Chief Webb, Dec. XLIII., 10th, 39.

See Election, Division Encampment, Titles, Chaplain, Nominations, Dispensations.

CAMP REPRESENTATIVES—See Division Encampment.

CAMP COLORS—If objection is made to the loaning of camp colors by members of the camp they should not be loaned.

Com.-in-Chief Webb, Dec. v., 10th, 29.

A camp can carry no flags except those authorized by the C., R. & R.

Com.-in-Chief Webb, Dec. x., 10th, 30.

CAMP COUNCIL—Members of the camp council are not “commissioned officers.” Camp Captains should issue to them warrants the same as to non-commissioned staff.

Com.-in-Chief Webb, Dec. XXXII., 10th, 36.

Members of the camp council have no military rank.

Com.-in-Chief Griffin, Op. XXXIII.; also J. A. Gen. Brown, Blue Book 31.

CAMP—CHANGE OF LOCATION—NAME—NUMBER—CHARTER—

When a camp desires to remove from one town to another, to adopt a new name, a new number, and procure a new charter, the matter should be acted upon formally by the camp, and its action, duly attested, presented to the commanding officer of the division, setting forth reasons for the change, and if satisfied that it is for the good of the division, the

change should be ordered, and when such order is made it should be transmitted to the Commandery-in-Chief headquarters for approval.

Com.-in-Chief Webb, Dec. XXXI., 10th, 36.

CAMP—OFFICIAL DECISIONS—Camps should under no circumstances, ask opinions of the Judge-Advocate, but should submit the matter for decision to the Division Commander, who will, if he sees fit, refer it to the Judge-Advocate.

Com.-in-Chief Webb, Dec. LVIII., 10th, 44.

CAPTAIN—A captain must never close a meeting without going through the regular order of business.

Com.-in-Chief Webb, Dec. LXXXVII., 10th, 52.

Has not power to refuse admission to a visiting brother, who is in good standing. This power is in the camp alone.

Com.-in-Chief Griffin, Op. LXXIII., Blue Book 70.

The suspension of a captain for non-payment of dues vacates the office, and a new captain should be elected.

J. A. Gen. Brown, Op. IX., Blue Book 65.

A captain had been absent from his camp for four successive meetings, and on the fourth night the First Lieutenant commanding the camp, as such commanding officer, declares the office vacant, *held* that the proceedings are legal.

Com.-in-Chief Webb, Dec. XL., 10th, 38.

See Appeal, Camp, Cipher and Key, Camp Captain, Division, Division Council, Division Commander, Installation, Lieutenant, Leave of Absence, Membership, Ritual, Password and Countersign, Quartermaster, Suspended Member, Transfer Card.

CERTIFICATE OF MEMBERSHIP IN G. A. R.—See Membership.

CERTIFICATE—See Division Council.

CHARTER—Charters of Posts mustered as camps cannot be dated prior to the muster of a Post into the camp system.

Com.-in-Chief Webb, Dec. LIII., 10th, 42.

A camp charter may be surrendered or it may be forfeited, and the result is the same.

J. A. Gen. Russell, Op. XII., 13th, 94.

Ten members of a camp in good standing may demand a continuance of the charter at a regular meeting of the camp or at a meeting called for the purpose of surrendering the charter, or, if not present at such meeting, may express such desire by petition.

Com.-in-Chief Griffin, Op. XXI.; also J. A. Gen. Brown, Blue Book 18-19.

A camp has surrendered its charter and the same charter cannot again be conferred on any camp.

Com.-in-Chief Griffin, Dec. XXII., Blue Book 19.

A camp whose charter is revoked by the Commander-in-Chief is no longer in existence.

Com.-in-Chief Bundy, Dec. XLIV., 14th, 40.

A suspended camp can surrender its charter, although not square on the division books.

J. A. Gen. Russell, Op. XII., 13th, 94.

See Camp, Property of Camp.

CHARTER FEE—A charter fee when paid cannot be returned to applicants in case camp is not mustered.

J. A. Gen. Beebe, Op. VII., 12th, 90.

Divisions may charge \$25.00 charter fee when camp seal and other extra supplies are furnished.

Com.-in-Chief Bundy, Dec. LIII., 14th, 44.

See Division Council.

CHARTER MEMBERS—Ex-member disbanded camp in good standing, who failed to obtain a transfer card at time of disbandment, can become a charter member of another camp on securing a transfer from Division Commander.

Com.-in-Chief Russell, Dec. XIII., 15th, 45.

Name of deceased applicant for charter cannot be added to charter, if he died before muster.

Com.-in-Chief Bundy, Dec. XIX., 14th, 32.

See Transfer.

COURTS MARTIAL—If a court martial is ordered by the Captain the report should be made to him for his approval; if the camp orders the court martial, the court should make its report to the camp for approval. If ordered by higher authority, the

camp and camp officers have nothing whatever to do with it. If the camp or Captain refuses to pass upon the court martial proceedings, or disapprove them, an appeal will lie to the Division Commander.

Com.-in-Chief Webb, Dec. LI., 10th, 42.

A camp or camp officers cannot defeat or prevent the judgment of the court martial being carried into effect by refusing to pass upon the proceedings.

Com.-in-Chief Webb, Dec. LI., 10th, 42.

Papers and sentence of a court martial must be passed upon by the Division Commander, and his action endorsed thereon, before forwarding to the Commander-in-Chief.

J. A. Gen. Weeks, Op. VI., 10th, 104.

Laws of the order do not recognize acts which fall short of a crime as a sufficient ground for the convening of a court martial.

J. A. Gen. Shaw Van, Op. XV., 11th, 41.

Has no jurisdiction of the accused when not present and when legal notice is not served on him.

J. A. Gen. Shaw Van, Op. III., 11th, 38.

Court for the trial of past division officers does not have to consist of past division officers.

J. A. Gen. Russell, Op. XV., 13th, 95.

A member cannot be punished except by a court martial after a regular trial and a verdict against him.

Com.-in-Chief Griffin, Op. LXXIV., Blue Book 73.

The law presumes innocence until guilt is established. A brother resting under charges of court martial retains all the rights and privileges he has ever enjoyed until convicted and sentenced.

Com.-in-Chief Hall, XLI., 12th, 32.

A member of a camp who declines "to sit in the camp room" with a visiting brother, without stating the reason or making charges, is guilty of "conduct unbecoming a member," etc., and subject to trial by court martial.

Com.-in-Chief Griffin, Op. LXXII., Blue Book 70.

A member sentenced to six months suspension cannot be tried upon another charge during the period of time for which he is suspended.

Com.-in-Chief Griffin, Op. LXXVII., Blue Book 74.

An officer cannot be suspended except upon charges preferred pending court martial.

Com.-in-Chief Griffin, Op. LXXX., Blue Book 75.

G. A. R. comrades are not qualified to act as members of S. of V. courts martial.

Com.-in-Chief Weeks, Dec. II., 11th, 29.

Shall consist of five members.

J. A. Gen. Russell, Op. XVIII., 13th, 95.

Unless at least five members of the court are present, the court can only meet and adjourn until absentees report, or until the court is dissolved by competent authority.

J. A. Gen. Weeks, Op. x., 10th, 104.

While three members constitute a quorum, it is imperative that the trial does not proceed unless all *five* are present. A quorum is wisely provided for so that the court, if a full attendance is not had at the time set for the trial, may not dissolve but can adjourn to a time certain, and secure the attendance of a full court.

J. A. Gen. Russell, Op. XXXIII., 13th, 100.

Must consist of just five ; no more, no less.

J. A. Gen. Harrington, Op. XI., 14th, 120. See Op. XII., also.

Must consist of five exactly, and all of them must be continually present at the trial. If it consists of more, proceedings fatally defective.

J. A. Gen. Oglesbee, Op. IV., 15th, 105.

All the members of the court must be present during trial. If a member is admitted after the trial has begun, proceedings void.

J. A. Gen. Russell, Op. XXII., 13th, 96.

The accused may, if he so elects, waive his right to be tried by the full court of five members, and the trial may proceed with a less number.

J. A. Gen. Russell, Op. XXXV., 13th, 103.

A member should not be permitted to serve as a member of a court convened to try a brother of whose guilt he had previously expressed an opinion.

J. A. Gen. Weeks, Op. xx., 10th, 107.

A member who signed the charges and stated that he believed them to be true, and was the first witness called to support them, should not have been permitted to sit as a member of the court.

J. A. Gen. Weeks, Op. xx., 10th, 107.

A change in the detail of members cannot be made without notice to the defendant, and if made during trial, proceedings void.

J. A. Gen. Harrington, Op. xvi., 14th, 122.

Where an adjournment is had in the absence of the accused, notice of the adjournment should be given to the accused, and proof thereof incorporated in the record.

J. A. Gen. Weeks, Op. xv., 10th, 105.

A session continued beyond midnight of Saturday is legal.

J. A. Gen. Weeks, Op. xxix., 11th, 42.

It is not the duty of the court to furnish counsel for accused.

J. A. Gen. Russell, Op. xxii., 13th, 96.

Members of a court cannot be witnesses in the case on which they are sitting in judgment.

J. A. Gen. Weeks, Op. xx., 10th, 107.

If witnesses were not affirmed or obligated, proceedings irregular.

J. A. Gen. Shaw Van, Op. ii., 11th, 38.

I. CHARGES AND SPECIFICATIONS.

Charges and specifications should state facts with that definiteness and certainty that is necessary when an accused person is called upon to answer for an offence committed.

J. A. Gen. Beebe, Op. xvii., 12th, 92.

In order to sustain a finding of guilty the accused must be aptly charged with an offence cognizable by the Sons of Veterans and the evidence must legitimately tend to establish the offence thus charged.

J. A. Gen. Beebe, Op. xxv., 12th, 95.

When the charge is improperly worded but the evidence is sufficient to sustain it when properly worded, the court can cure defect by being reconvened.

J. A. Gen. Harrington, Op. VIII., 14th, 119.

“Misappropriating funds” is an improper charge. It should be “Conduct unbecoming a member in his relation to the Order.”

J. A. Gen. Redmond, Op. II., 16th, 101.

The only offence of disloyalty cognizable by our Order is “Disloyalty to the United States of America.”

J. A. Gen. Weeks, Op. IX., 10th, 104.

A charge worded, “Conduct unbecoming a member of the Order,” is not an offence cognizable by the Sons of Veterans. It should be “Conduct unbecoming a member *in his relation to the Order.*”

J. A. Gen. Weeks, Op. I., 10th, 102.

The record shows charge to have been “attempting to divulge the grip.” Some doubt as to sufficiency of charge.

Com.-in-Chief Webb, Dec. LXXXV., 10th, 52.

The charge “Retaining money belonging to the camp” is one not recognized in that form by our Order. It should be “Conduct unbecoming a member in his relation to the Order.”

J. A. Gen. Weeks, Op. XX., 10th, 107.

In the trial of a division officer, “embezzlement of division funds,” an improper charge. It should be, “Violation of an obligation given at the time of assuming office.”

J. A. Gen. Russell, Op. XXXIII., 13th, 101.

Allegation that accused “stole goods from Hotel Benton,” an improper charge. It should read, “The commission of a scandalous crime against the laws of the land.”

J. A. Gen. Russell, Op. XXVIII., 13th, 98.

“Conduct unbecoming a Son of a Veteran,” an improper charge. It should be, “Conduct unbecoming a member in his relation to the Order.”

J. A. Gen. Russell, Op. IX., 13th, 93.

Proceedings are irregular when charge is improperly worded, but if evidence is sufficient to sustain charge when properly

worded, the court may be reconvened to cure irregularity and the record again forwarded.

J. A. Gen. Harrington, Op. 11., 14th, 117.

“Making false entries on cash book of camp,” not a proper charge. It should be, “Conduct unbecoming a member in his relation to the Order.”

J. A. Gen. Harrington, Op. xix., 14th, 122.

The charge in this case is “Fraudulent representation and appropriating money to his own use by means of a fraudulent order.” It is improperly worded, and should read, “Conduct unbecoming a member in his relation to the Order.”

J. A. Gen. Harrington, Op. xv., 14th, 121.

“Appropriation of camp funds to his own use,” not a proper charge. It should be, “Conduct unbecoming a member in his relation to the Order.”

J. A. Gen. Harrington, Op. xvi., 14th, 121.

In case where charge was, “Appropriating to his own use and benefit certain funds of W. E. Cross Camp,” when it should have been, “Conduct unbecoming a member in his relation to the Order;” finding and sentence approved.

J. A. Gen. Harrington, Op. iv., 14th, 118.

A brother was charged: 1st. With conduct unbecoming a member in his relation to the Order. The specifications are, 1st. In that he became intoxicated during the installation of the officers of his camp; 2d. Created a disturbance; and, 3d. Afterwards tore his badge from his coat and threw it in the street. Charge 2 was: Conduct prejudicial to good order and discipline, in that he spoke disrespectfully of the Order in the camp room when his actions upon the night of installation were under examination. The accused pleaded “guilty” to the first specification of the first charge, and to the second charge. Findings and sentence approved.

Com.-in-Chief Weeks, Dec. xlii., 11th, 38.

A brother is charged with disobedience of C., R. & R. and By-Laws, also orders coming from proper authority, and conduct unbecoming a member in his relation to the Order. The specifications set forth that he loaned or used funds of

the camp in violation of the resolutions of the camp; that he presented worthless checks in payment of the rent of the hall; that he retained money donated for the relief of a brother and ordered to be paid to the Division Quartermaster; that he disobeyed the orders of the Camp Commander to turn over the funds of the camp, and that he denied upon the floor of the camp any misuse of its funds. Accused was present with counsel and pleaded "guilty." Sentenced to be dishonorably discharged and dismissed from the Order, and sentence was approved.

Com-in-Chief Weeks, Dec. XXII., 11th, 33.

The specification is not sufficient to sustain charge when it fails to state facts sufficient to constitute a crime.

J. A. Gen. Oglesbee, Op. IV., 15th, 105.

When specifications fail to state essential facts of the offence charged, and the evidence would be insufficient to sustain conviction in court of law, yet enough facts can be gathered and inferred from record to give ground for guilt, *held*, that finding and sentence should be approved.

J. A. Gen. Oglesbee, Op. II., 15th, 104.

The language in the specification of a charge, that "the members of this court have good and sufficient reasons to believe, and do believe, that it will materially aid and benefit this camp by dishonorably discharging S. E. P. from the camp and the Order," is particularly out of place.

J. A. Gen. Weeks, Op. XX., 10th, 106.

Under charge, "Conduct unbecoming a member in his relation to the Order," the specification sets out part of a letter as follows: "It seems to me you are a set of ninnies or babies; why don't you have more manhood about you as a body. * * * I gave you some credit of being made of better stuff than you have proven to be made out of. * * * I wish I was there to give you a piece of my mind and you might court martial me. * * * Is there not one in the camp who has not been bull-dozed by their slick tongues. * * * You may read this aloud in the camp room for all I care; I certainly would say as much if I were there. You are a lot of geese." Held,

that while the language is certainly unbecoming, still it was not a public utterance, the camp was not injured by it in the least, and the sentence of dishonorable discharge is out of all keeping with the offence.

J. A. Gen. Harrington, Op. III., 14th, 118.

II. NOTICE TO ACCUSED.

When accused was not present at trial and record contains no proof of notice having been served on him, proceedings are irregular.

J. A. Gen. Harrington, Op. II., 14th, 117.

A notice to accused should contain statement that charges have been preferred, that a trial will be had, when and where held, and that a copy of the charges are enclosed with the notice.

J. A. Gen. Russell, Op. XXXIII., 13th, 101.

The Judge Advocate should recite in his return or proof of service exactly what he did in making service; he must state the facts, and then it is the duty of the court to decide whether the facts stated show a valid service upon the accused.

J. A. Gen. Beebe, Op. III., 12th, 89.

If a return of service in the record is defective it may be cured by reconvening the court and having the irregularity adjusted, if the facts of service are in accordance with the C., R. & R.

J. A. Gen. Harrington, Op. XIII., 14th, 120.

If personal service cannot be obtained upon the accused the C., R. & R. provides for constructive service.

J. A. Gen. Russell, Op. XX., 13th, 96.

Service on accused is not excused because he is confined to the penitentiary.

J. A. Gen. Harrington, Op. XVII., 14th, 22.

Service of notice of trial and a copy of the charges upon accused, if made by mail, should be sent to his "last known place of residence."

J. A. Gen. Russell, Op. XXXIII., 13th, 101.

If the accused is absent from the trial there must be incorporated in the record of the court proof of notice being given him or left at his usual place of abode.

J. A. Gen. Weeks, Op. VI., 10th, 104.

The accused may have a residence at one place and his post-office address may be at another. Notice of trial should be sent to his last known residence.

J. A. Gen. Beebe, Op. v., 12th, 90.

Even if accused appears by counsel but is not present himself, it is well to have proof of the notice given him incorporated in the record.

J. A. Gen. Weeks, Op. xvii., 10th, 106.

If accused appeared, asked no postponement or continuance, and made no objection to regularity of service, he is held to have waived irregularities of service.

J. A. Gen. Russell, Op. xxii., 13th, 96.

A letter containing an admission by the accused that he had received notice of his trial is not sufficient admission of service. It should state the kind of notice, and the time, place and manner of its reception.

J. A. Gen. Beebe, Op. xxv., 12th, 95.

A court was ordered on February 23 to convene on February 25, *held*, that accused did not receive such notice as the Constitution required.

J. A. Gen. Weeks, Op. xx., 10th, 107.

The record showing, over the signature of the Judge-Advocate, that the whereabouts of the accused was not known, *held*, that the proceedings were regular and sentence was approved.

J. A. Gen. Weeks, Op. xxvi., 10th, 107.

The fact that the notice recites that he "sends copy," etc., does not establish the fact that it was received by the defendant or left at his usual place of residence.

J. A. Gen. Shaw Van, Op. ii., 11th, 38.

The record states that the accused was "legally notified," *held*, not to be sufficient proof of notice.

J. A. Gen. Beebe, Op. xvii., 12th, 92.

A record that states that "notice" was sent to the accused by letter but fails to state what that notice contained, is irregular.

J. A. Gen. Beebe, Op. xv., 12th, 92.

Proof of notice not sufficient, when it reads, "Served by mail May 1, 1893; W. H. B. Judge Advocate."

J. A. Gen. Beebe, Op. xxv., 12th, 95.

A statement in the record "that the Judge-Advocate offered proof that the accused was duly notified which was accepted by the court," not sufficient.

J. A. Gen. Russell, Op. i., 13th, 91; also Op. iv., 13th, 91.

A return in the record reads: "Williamsport, Pa., Aug. 22, 1892. This is to certify that I did duly notify the accused brother, A. F. A—, by mail at least twelve (12) days before the court convened, on my honor as a member of the Order of S. of V." *Held*, to be radically defective because it fails to show that a "copy of the charges" and a "notice of the time and place of holding court" had been "served" upon the accused five days or any number of days before the date fixed for the court, by mail, "addressed to his last known place of residence."

J. A. Gen. Beebe, Op. iii., 12th, 89

When the accused is not present, absence from the record of proof of notice is an irregularity that may be cured on reconvening the court.

J. A. Gen. Harrington, Op. xvi., 14th, 121.

Although not obligated as a witness, the Judge-Advocate testifies that "notice to the accused was sent to his last known address on August 10th, containing information that the trial would be held on the 23d of the same month. Rumor having it that he was at Kasle, B. C., I also sent a copy of the notification to him there, endeavoring, if possible, to have him receive notice and make restitution. A copy of the latter is herewith attached. The former was returned." *Held*, notice not sufficient.

J. A. Gen. Russell, Op. xxxiii., 13th, 101.

A record of a court contains this statement: "The Judge-Advocate, having read the order convening the court, here affirmed that on the 14th day of March he did summon Bro. B. to appear at this court martial and the said brother promised to appear." *Held*, that this is not a proper proof

of service. The Judge-Advocate should state specifically what he did, and not simply give his conclusion.

J. A. Gen. Harrington, Op. xiii., 14th, 120.

A detached sheet, in no manner incorporated in the record or referred to therein, contains a statement made by a person who is a total stranger to the record, that he did certain things by way of serving notice, and a letter from one of the defendants contains an admission that he received such a notice but fails to appear at the trial, *held*, service of notice is defective.

J. A. Gen. Oglesbee, Op. iv., 15th, 105.

III. RECORD OF THE COURT.

The order appointing the court should be made a part of the record.

J. A. Gen. Beebe, Op. x., 12th, 91.

Record is defective when it does not appear that the court was ordered by the proper officer. The order appearing in the record was not signed by the Commander.

J. A. Gen. Beebe, Op. vi., 12th, 90.

The record must contain proof of notice, showing it to have been served on accused or left at his usual place of abode.

J. A. Gen. Harrington, Op. viii., 14th, 119.

A court martial, the proceedings of which are irregular, may be reconvened in accordance with Section 1043, U. S. Army Regulations, and the deficiency supplied and the record cured.

J. A. Gen. Weeks, Op. vii., 10th, 104.

Irregularities in records may be cured by reconvening the court, after which the papers should again be forwarded through proper channels.

J. A. Gen. Harrington, Op. ii., 14th, 117.

Proceedings are irregular when inconsistencies appear in the record, such as the statement that the accused was not present, still he was arraigned and pleaded "not guilty."

J. A. Gen. Harrington, Op. ii., 14th, 117.

The consideration of matters *de hors* the record should be very seldom entertained, or otherwise no proceeding would ever have the stability to which it is entitled.

J. A. Gen. Weeks, Op. xxix., 11th, 42.

A record that shows accused to have been absent, and also that he was arraigned and pleaded "not guilty," irregular.

J. A. Gen. Russell, Op. 1., 13th, 91.

A record that shows no charge to have been made, but a specification alone is given stating that the accused was convicted of bigamy; no proof of service appears, but the statement appears that accused is in the penitentiary; a plea of guilty instead of not guilty was entered and no evidence whatever was offered; *held*, that proceedings are void.

J. A. Gen. Harrington, Op. xvii., 14th, 122.

Where it does not appear of record how many members of the court were present at trial, or that an adjournment to any other time was had, but four days later, without any notice of any kind to anybody, a majority of the detail sat and a trial was had, *held*, proceedings illegal and record defective.

J. A. Gen. Oglesbee, Op. iv., 15th, 105.

A *nunc pro tunc* order is always admissible when delay in forwarding record of court to the Division Commander arises from the act of the court, as in case where the Judge-Advocate has failed to prepare same. The court should be reconvened in accordance with Section 1043, U. S. Army Regulations to complete the record.

J. A. Gen. Harrington, Op. i., 14th, 117.

IV. EVIDENCE.

Evidence irrelevant to the charges and specifications should not be admitted.

J. A. Gen. Oglesbee, Op. i., 15th, 104.

Letters annexed to a court martial record should be identified.

J. A. Gen. Weeks, Op. ix., 10th, 104.

Evidence founded on suspicion alone and unsupported is inadmissible.

J. A. Gen. Shaw Van, Op. xi., 11th, 40.

Hearsay evidence is not admissible.

J. A. Gen. Beebe, Op. xvii., 12th, 92.

Under criminal charge in certain case, the best evidence is wanting in that a copy of the information and bond is lacking.

J. A. Gen. Shaw Van, Op. xi., 11th, 40.

The accused cannot be charged with one offence and be convicted by proof that he committed another and entirely different crime; nor can he be legally found guilty by proof of some crime when none is charged against him.

J. A. Gen. Beebe, Op. xxv., 12th, 95.

Under a charge of embezzlement of funds a resolution of the Division Encampment was introduced in evidence ordering a warrant drawn for only part of the amount in controversy, in favor of the accused, and ordering the accused to pay into the treasury the balance. *Held*, not competent evidence.

J. A. Gen. Russell, Op. xxxv., 13th, 103.

Deposition of absent witness is the only competent evidence he can give.

J. A. Gen. Russell, Op. xxxiii., 13th, 101.

Affidavit of an absent witness not admissible evidence before a court martial. His deposition should be taken.

J. A. Gen. Russell, Op. xxxiii., 13th, 101.

Under charge, "Violation of a pledge given at the time of muster," the following letter was introduced in evidence and identified as the handwriting of the accused: "If camp has nothing better to do than to hunt up a character for a previous chippy they are in a bad row. * * * She was a noted sport, or at least a confirmed one, and had rooms on East Second street where her customers were welcome at all hours, day or night. * * * She left her husband and was in one of the lowest dives in B." Nothing appears in the letter to indicate to whom reference is made, but it was assumed that the wife of O. E. C. was referred to, and he was so informed. The brother to whom the letter was addressed testified: "Q. In this letter does he refer to the wife of O. E. C.? A. Yes." This is all the evidence to support the charge, *held*, not sufficient.

J. A. Gen. Harrington, Op. iii., 14th, 117.

V. SENTENCE.

Whatever sentence is imposed must be positive, direct and certain, and not in the alternative.

J. A. Gen. Beebe, Op. xx., 12th, 93.

It requires a unanimous vote of the court upon a finding of guilty, and also as to sentence.

J. A. Gen. Russell, Op. vi., 13th, 93.

When orders appointing the court martial do not name the day of trial and time for convening, sentence should be disapproved.

J. A. Gen. Beebe, Op. xxi., 12th, 93.

After sentencing the accused to pay a fine of \$7 and costs, the court further adjudged that in case the same is not paid within twenty days from March 1, 1893, "then Brother R— shall be dishonorably discharged from the Order," *held*, to be not a proper sentence.

J. A. Gen. Beebe, Op. xx, 12th, 93.

A mild sentence is evidence of lack of malice on the part of members of a court martial when accused charges such on appeal.

J. A. Gen. Weeks, Op. xxix., 11th, 42.

The use of unbecoming language is reprehensible, but if not used in a public manner or in such a way that a camp was injured by it, a sentence of dishonorable discharge is more severe than the offence would justify.

J. A. Gen. Oglesbee, Op. i., 15th, 104.

In case where charges were, "Violation of obligation given at time he assumed the office of Captain of the camp aforesaid," and one specification, showing neglect of duty in absenting himself from meetings of camp; the second charge being "Conduct prejudicial to good order and discipline," and two specifications, the first alleging neglect of duty in absenting himself from camp meetings, the second charging him with certain unbecoming language, *held*, that sentence of dishonorable discharge is too severe for offences alleged.

J. A. Gen. Oglesbee, Op. i., 15th, 104.

VI. NEW TRIAL.

A member of the court who expresses his opinion of the accused's guilt before trial, and said he would "fix him," *held*, to be sufficient ground to grant a new trial.

J. A. Gen. Russell, Op. vi., 13th, 93.

Failure to obligate or affirm witness, sufficient ground for new trial.

J. A. Gen. Russell, Op. VIII., 13th, 93.

See Division Commander, Membership, Past Captain, Camp.
COURT OF LAW—See Courts Martial—Charges and Specifications.
COUNCIL-IN-CHIEF—Powers expressly limited to controlling and supervising investment of the funds, and devising and recommending measures for raising funds, but they have no power to put into effect any measure they may devise, as by increasing the tax.

J. A. Gen. Oglesbee, Op. v., 15th, 106.

May charge an additional amount for supplies furnished under the agreement with Major A. P. Davis, to cover the cost of carriage from the manufactory to the Commandery-in-Chief headquarters, Division headquarters and Camp headquarters, respectively. The Commandery-in-Chief of course has the same power.

J. A. Gen. Weeks, Op. VIII., 10th, 104.

Has no power to increase per capita tax due from Divisions to Commandery-in-Chief.

J. A. Gen. Oglesbee, Op. v., 15th, 106.

See Judge-Advocate-General, Division Council, Courts Martial, Camp.

COMMANDERY-IN-CHIEF—Can alter or change any law or regulation at its meetings to suit its pleasure.

J. A. Gen. Shaw Van, Op. IV., 11th, 39.

May pass any law for the government of divisions, unless it has surrendered or delegated that power to the divisions.

J. A. Gen. Shaw Van, Op. IV., 11th, 38.

Division Constitution can only be amended by the Commandery-in-Chief.

J. A. Gen. Shaw Van, Op. IV., 11th, 38.

Divisions are not barred from representation in the Commandery-in-Chief because of failure to forward Chaplain's and Surgeon's reports.

Com.-in-Chief Bundy, Dec. LVI., 14th, 46.

The Commander-in-Chief or the Division Commander cannot by special dispensation or otherwise, alter, amend or abrogate any provision of the Constitution.

Com.-in-Chief Griffin, Op. vi., Blue Book, 11; also Op. LXXVI., Blue Book, 73.

Has no power of approving the action of any division on any subject, where action does not conform to the constitutional regulations of the Order.

Com.-in-Chief Hall, Dec. ix., 12th, 26.

There is no authority by which even the Commander-in-Chief may grant a dispensation to permit of a violation of the Constitution.

Com.-in-Chief Rake, Dec. iv., 16th, 29.

See Appeal, Constitutional Amendments, Council-in-Chief, Titles, Member Suspended, Member Dropped, Division By-Laws, Charter Revoked, Courts Martial, Dispensation, Division Officer, Inspection, Judge-Advocate-General, Ritual, Division Commander.

CONFEDERATE ARMY—See Members, Eligibility.

CONFLICT OF OPINIONS—See Dues.

CONSTITUTION—The word "shall" must be construed as it is in the statutes of the several states of this country, and whether it is mandatory or directory must be determined from the context.

Com.-in-Chief Webb, Dec. lvi., 10th, 43.

See Commander-in-Chief, Inspection, Ritual.

CONSTITUTIONAL AMENDMENTS—At the Knoxville Encampment the Commander-in-Chief recommended that no amendments to the laws of the Order be made, which recommendation was adopted by the encampment, after which it voted amendments, *held*, that such amendments were constitutional and legally adopted.

Com.-in-Chief Russell, Dec. xxvi., 15th, 50.

See Shoulder Straps S. V.

COMMISSIONED OFFICERS—See Division Council, Reports, Past Rank.

COMRADES OF G. A. R.—See Courts Martial.

COMMISSION—A Division Commander can legally withhold commissions of camp officers who have not paid fee as established by Division Encampment for same.

J. A. Gen. Russell, Op xxxiv., 13th, 102.

See Division Commander, Division Encampment, Office, Quartermaster.

CUSHING'S MANUAL—See Division Encampment.

CYPHER AND KEY—No other member of a camp should be allowed to have or hold the cypher and key of our unwritten work but the Captain.

Com.-in-Chief Hall, Dec. XLII., 12th, 32.

DATE—See Transfer.

DE NOVO—See Dropped Member.

DECLINATION—See Camp Officers.

DEPOSITIONS—See Court Martial.

DE HORS THE RECORD—See Court Martial.

DEAF AND DUMB—See Ritual Obligation.

DELEGATE—See Division Encampment.

DEGREES—See Dropped Member, Ballot, Ritual.

DESERTION—See Membership.

DETAIL—See Court Martial.

DIVISION—Five camps necessary to form.

Com.-in-Chief Bundy, Dec. LI., 14th, 43.

Name cannot be changed by act of the Division Encampment.

Com.-in-Chief Griffin, Op. XXXVI., Blue Book, 37.

Not limited by State or Territorial lines. A division may include more than one State.

Com.-in-Chief Griffin, Op. II., Blue Book, 9.

See Camp, Council-in-Chief, Commandery-in-Chief, Commander-in-Chief, Charter Fee, Member Suspended, Member Dropped, Motto, Property of Camp, Per Capita Tax, Quartermaster, Shoulder Straps S. V., Uniform.

DIVISION COMMANDER—In the 12th Annual Encampment of the Vermont Division, June 28, 1894, the following proceedings were had: "Moved by Past Colonel E. T. Griswold that the Constitution be suspended, and we proceed with the election of the officers. Motion carried." After nominations

Brother Frank L. Greene being the only nominee, the Adjutant was instructed to cast one ballot for Past Captain F. L. Greene, for Division Commander, and he was declared elected. Afterwards in the afternoon session of the same day, Brother F. L. Greene was duly installed into office by Adjutant General Charles K. Darling, and immediately thereafter, retiring Commander W. M. Sargent was presented with the silver cross of a Past Commander, which he accepted. I am satisfied by this action, and taking into consideration the fact that Brother Greene was permitted to assume command, and has acted as Commander of the Division for nearly a year, that Brother Sargent is estopped from any claim to the position. For more than eleven months Brother Greene has been Division Commander *de facto*. No one protested at the time. He was unanimously elected and installed without objection, and I shall not now make a ruling which practically holds all his official acts to have been illegal and inoperative. Moreover, I am of the opinion that in any event, the election was legal, and that such election and following installation practically completed the business of the Encampment. If anything is to be ruled out, it would be all matters of business transacted after the election and preceding the installation of officers. I do not commend the action of the Encampment in this respect, but under the circumstances * * * * I respectfully decide that Brother Frank L. Greene is entitled to remain as Division Commander and to hold the past rank after the expiration of his term.

Com.-in-Chief Bundy, Dec. XLVI., 14th, 42.

The Division Commander has power to appoint staff officers from any locality within the division.

Com.-in-Chief Rake, Dec. XXII., 16th, 35.

If the appointment of a staff officer is revoked by the Division Commander, he cannot appeal to the *Commander-in-Chief*.

Com.-in-Chief Hall, Dec. V., 12th, 25.

Appointment of Chief-of-Staff by Division Commander unauthorized.

Com.-in-Chief Bundy, Dec. XXXIII., 14th, 37.

Appointment of "Special Aide-de-Camp" by Division Commander unauthorized.

Com.-in-Chief Bundy, Dec. xxix., 14th, 36.

A brother cannot consistently hold at the same time the office of Division Commander and Chaplain-in-Chief.

Com.-in-Chief Bundy, Dec. xxxviii., 14th, 38.

A Division Commander has no final power to remove a commissioned officer of a camp.

Com.-in-Chief Bundy, Dec. xlviii., 14th, 42.

Cannot revoke the commission of a Captain for neglect of duty. He should be tried by court martial.

Com.-in-Chief Weeks, Dec. iii., 11th, 29.

A Division Commander has no right to give password and countersign to a member on transfer.

J. A. Gen Beebe, Op. xxii., 12th, 94.

The order of a Division Commander to a Captain is final and conclusive until appealed from.

Com.-in-Chief Webb, Dec. xxxiii., 10th, 36.

It is the duty of a Division Commander, when questions are submitted to him, to decide them. He may, if he desires, ask the advice of the Judge-Advocate, but he is not bound to follow it.

Com.-in-Chief Webb, Dec. lviii., 10th, 44.

It is the duty of a Division Commander to drop a camp four quarters in arrears.

Com.-in-Chief Webb, Dec. xxxi., 10th, 35.

It is discretionary with the Division Commander whether he carry camps and report same in his returns as in good standing, when he has not received from them their per capita tax. Such a course is often times advisable.

Com.-in-Chief Bundy, Dec. lxxv., 14th, 48.

The Division Commander has no authority over property of the State in the hands of a camp.

Com.-in-Chief Griffin, Op. xlix., Blue Book, 44.

Cannot grant dispensation to camp to dispense with roll call.

J. A. Gen. Brown, Op. li., Blue Book, 45.

See Appeals, Bonds, By-Laws, Commander-in-Chief, Camp, Commissions, Officer, Arrears, Courts Martial, Division Council, Division Encampment, Division Staff, Dispensation, Dues, Honorable Discharge, Judge-Advocate, Membership, Past Division Commander, Quartermaster, Ritual, Transfer, Commandery-in-Chief.

DIVISION COUNCIL—Vacancies cannot be filled by correspondence, but Council must convene in actual session.

Com.-in-Chief Bundy, Dec. xviii., 14th, 31.

The members of the Division Council are commissioned by the Division Commander but have no rank.

Com.-in-Chief Webb, Dec. xxxii., 10th, 36.

The elective members of the Division Council and Camp Council are not commissioned officers within the meaning of the law.

Com.-in-Chief Griffin, Dec. xxxiii., Blue Book; Com.-in-Chief Webb, Dec. xxxii., 10th, 36

The Division Council has no power to increase the charter fee or per capita tax when fixed by the Division Encampment.

Com.-in-Chief Weeks, Dec. xiii., 11th, 31.

A vacancy in the representation of a division to the Encampment of the Commandery-in-Chief can only be filled by the Division Council, which must be convened for that purpose. Such vacancy cannot be filled by a vote taken by question blanks.

Com.-in-Chief Griffin, Op. xlviii., Blue Book, 43.

There is no inconsistency in a member of the Order being at the same time a member of the Division Council and Captain of his camp.

Com.-in-Chief Weeks, Dec. xv., 11th, 31.

A vote of a Division Council establishing a fee of one dollar for dispensations is legal. The granting of a dispensation is a matter of favor and not a matter of right, and the action of the Council was not in the nature of law making, but only an advisory regulation for the guidance of the Division Commander.

Com.-in-Chief Weeks, Dec. xxix., 11th, 35.

See Division Encampment, Judge-Advocate, Leave of Absence, Per Capita Tax, Representation.

DIVISION ENCAMPMENT—"Chief of Staff" is an office not recognized by the C., R. & R., therefore such an officer has no vote in Division Encampment.

Com.-in-Chief Weeks, Dec. XXXI., 11th, 35.

Sergeant Major and Quartermaster-Sergeant as such have no vote in Division Encampment.

Com.-in-Chief Hall, Dec. XXXVI., 12th, 31.

A Past Captain is eligible to election as a delegate to the Division Encampment.

Com.-in-Chief Griffin, Op. XLV., Blue Book, 40.

Delegates to Division Encampments cannot be represented by proxy.

Com.-in-Chief Griffin, Op. XLVI., Blue Book, 41.

A Delegate or Past Captain cannot vote by proxy in the Division Encampment, nor can one delegate cast the entire vote of his camp if the other delegates and past captains are not present.

Com.-in-Chief Bundy, Dec. XXXI., 14th, 36.

A Representative declined to obey the instructions of his camp to vote for a particular candidate for office and is removed by vote of his camp, and appealed to the Division Encampment which sustained the appeal and seated him, *held*, that the action of the Division Encampment was legal.

J. A. Gen. Russell, Op. XXXVIII., 13th, 104.

Representation from a suspended camp, whether Captain, Past Captain or Delegate, has no voice in the Division Encampment.

Com.-in-Chief Hall, Dec. XLI., 12th, 32.

In case of the absence from a Division Encampment of a staff officer without action whereby he became deprived of his office—there being no vacancy—no appointment could be made except the appointment of a brother to serve in a temporary capacity, and such appointee would have no vote or privileges by virtue of such appointment.

Vote 12th Encampment, 224.

Absence from the Division Encampment of division officers who are not absent from the division does not vacate their

offices. The vacancies on the floor may be filled by temporary appointments.

Com.-in-Chief Griffin, Op. CVIII., Blue Book, 96.

The camp representation in the Division Encampment is one representative at large and one additional representative for over twenty-five members. If over seventy-five members, two additional delegates; if over one hundred and twenty-five members, three additional delegates, and so on to the limit of the membership.

Com.-in-Chief Russell, Dec. XVIII., 15th, 47.

The Division Encampment has no power to confer rank of Past Captain upon a brother.

Com.-in-Chief Hall, Dec. IX., 12th, 26.

A Past Captain holding a transfer card unexpired cannot vote in the Division Encampment before he deposits it in a camp.

Com.-in-Chief Maccabe, Dec. XXIX., 13th, 26.

No camp shall be deprived of representation in the Division Encampment for failure to make report to Division Chaplain of Memorial Day exercises.

Com.-in-Chief Bundy, Dec. XLVI., 14th, 41.

A Division Encampment can legally pass a resolution fixing a fee for commissions of camp officers.

J. A. Gen. Russell, Op. XXXIV., 13th, 102.

If the report of a committee was "accepted" by vote, it becomes the act of the Encampment as fully as if the record said "adopted."

J. A. Gen. Russell, Op. XXXIV., 13th, 102.

A ballot for division officers is unauthorized. Each member shall announce the candidate of his choice.

Com.-in-Chief Weeks, Dec. XXXIV., 11th, 35.

Resolutions passed after the election of officers had taken place were not legally adopted.

Com.-in-Chief Rake, Dec. XI., 16th, 31.

In the nomination and election of officers the procedure required is governed first by the C., R. & R., and when they are silent by Cushing's Manual.

Com.-in-Chief Maccabe, Dec. XXV., 13th, 26.

The time of meeting of the Division Encampment must be fixed at each Annual Encampment.

Com.-in-Chief Griffin, Op. XLVII., Blue Book, 42.

The action of a Division Council in changing the time and place of the meeting of the Division Encampment, for good and sufficient reasons, is legal.

Com.-in-Chief Webb, Dec. LVII., 10th, 44.

See Appeal, Division Council, Judge-Advocate, Officers, Past Captain, Per Capita Tax, Quartermaster.

DIVISION OFFICERS—A brother must be present at the Division Encampment to be eligible to elective division office.

Com.-in-Chief Webb, Dec. LXI., 10th, 45.

It is proper for division officers to wear side arms in uniformed divisions, although as a body the members are not equipped.

Com.-in-Chief Webb, Dec. LXV., 10th, 46.

A suspended member cannot hold division office with voice and seat in the Division Encampment.

J. A. Gen. Brown, Op. LXI., Blue Book, 65.

If an elective officer of the division absents himself from the division more than 30 days without leave of absence from the Commander-in-Chief, he should be so reported, and the Commander-in-Chief has power to declare the office vacant.

Com.-in-Chief Webb, Dec. LXVII., 10th, 47.

If a brother holding division office takes a transfer from his camp and deposits it in a camp of another division, the division office held by him is vacated.

Com.-in-Chief Weeks, Dec. XVII., 11th, 31.

DIVISION OF PENNSYLVANIA—See Camps.

DIVISION STAFF—A Division Commander cannot remove any staff officer for refusing to vote for his candidate for office.

Com.-in-Chief Maccabe, Dec. XLIII., 13th, 29.

See Division Encampment.

DISLOYALTY—See Courts Martial.

DISSOLUTION—See Transfer, Dues.

DISBANDED CAMP—See Charter Member, Transfer.

DISHONORABLE DISCHARGE—See Courts Martial, Post System.

DISCHARGE—See Membership.

DIVISION CHAPLAIN—See Division Encampment.

DISCIPLINE—See Transfer.

DISPENSATION—A dispensation to muster a recruit under 18 years of age is unauthorized.

Com.-in-Chief Weeks, Dec. XXIII., 11th, 33.

A dropped member of a camp which has ceased to exist must have a dispensation from the Division Commander before he can again be mustered into the Order.

J. A. Gen. Redmond, Op. 1., 16th, 101.

A Division Commander of one division can legally issue a dispensation to a camp of another division to muster a dropped member of a defunct camp formerly of his division.

Com.-in-Chief Hall, Dec. XXXV., 12th, 31.

The Commander-in-Chief is not authorized to issue a dispensation granting camps permission to muster lineal descendants of distinguished patriots who were not in the military or naval service of the U. S.

Com.-in-Chief Bundy, Dec. LVII., 14th, 46.

A Division Commander cannot issue a dispensation for the installation of camp officers to occur Dec. 29th.

Com.-in-Chief Webb, Dec. XXXIV., 10th, 36.

No dispensation is necessary to authorize the conferring of the Silver Cross of the Order on any Past Colonel (Commander) in good standing.

Com.-in-Chief Griffin, Op. XCII., Blue Book, 85.

See By-Laws, Commander-in-Chief, Division, Division Commander, Division Council, Inspection, Installation, Membership, Uniform.

DUES—If members have not paid dues into treasury since the time of the suspension of their camp, which was six months or more prior to its dissolution, and are not in good standing at the time of dissolution, they are not entitled to transfers from the Division Commander, nor can he receive from them the amount of their back dues, in order to qualify them to receive transfers.

J. A. Gen. Russell, Op. XXXVI., 13th, 103.

As to conflict between decisions of Past Commander-in-Chief Weeks to the effect that one year's dues in addition to muster fee must be paid by dropped member applying for reinstatement, and the decision of Com.-in-Chief Maccabe (J. A. Gen. Op. III.) as to eligibility of dropped members under 21 years of age, I would hold that no conflict appears. The decision of General Weeks was and is unquestionably sound. A dropped member is one who is one year in arrears for dues. In being reinstated under Section 4, Article IV, Chapter V, as provided by Sections 1-7, Article II, Chapter II, he must pay the amount of his debt to the camp in addition to the regular muster fee, the C., R. & R. wisely providing that his old camp is the only one that can reinstate him, if it still be in existence. The term "dropped member" is clearly a "misnomer." It distinguishes one who has at some time been connected with the Order from one who has never been a member, implying nothing as to actual present status in reference to the Order, except the one point that he must pay the amount of his debt to the camp, otherwise coming into the Order as a new member. The decision of Com.-in-Chief Maccabe referred to was not expected to cover this point. It was only as to the eligibility of "dropped members" under 21 years of age to be reinstated before attaining the new required age of 21 (now changed to 18.—E. K. G.,) even though they complied with all other requirements of the C., R. & R., regarding reinstatement.

J. A. Gen. Russell, Op. XVII., 13th, 95.

DROPPED FROM THE ROLLS—See Membership, Post System.

DUES—See Membership, By-Laws, Captain, Camp.

DUE FORM—See Ritual.

ELECTION—Election of camp officers not legal unless notice of same be given by First Sergeant.

Com.-in-Chief Bundy, Dec. XXVIII., 14th, 35.

See Camp Office, Camp, Division Encampment.

ELIGIBILITY—See Membership.

ENLISTMENT—See Membership.

ENCAMPMENT—An officer who fails to make reports within specified time shall have his name omitted from roll of the Encampment.

Com.-in-Chief Russell, Dec. ix., 15th, 43.

See Reports, Division, Grand Army of the Republic.

ENGINEER CORPS, UNITED STATES—See Membership—Eligibility, Army and Navy.

EQUITY—See Bond.

ERASURES—See Honorable Discharge.

EVIDENCE—See Courts Martial.

FEES—See By-Laws, Camp, Charter, Division Encampment, Transfer.

FIRST SERGEANT—See Transfer Card.

FINE—See Courts Martial.

FINDING AND SENTENCE—See Courts Martial—Charges and Specifications.

FLAG—See Camp.

FLAG SALUTE—Camps use the cap salute only for the flag.

Com.-in-Chief Rake, Dec. xviii., 16th, 33.

FUNDS, FLAGS, FURNITURE—See Property of Camp.

GENERAL ORDERS—See Camp.

GRANDSON—See Membership—Eligibility.

GREAT-GRANDSON—See Membership—Eligibility.

GRAND ARMY OF THE REPUBLIC—Members of the G. A. R. are not entitled to honorary membership.

Com.-in-Chief Griffin, Op. xcix., Blue Book, 92.

Officers and members of the G. A. R. have no vote in the camps or encampments of the Sons of Veterans.

Com.-in-Chief Griffin, Op. xcvi., Blue Book, 92.

Comrades or officers of the G. A. R. have no jurisdiction or authority over the Sons of Veterans.

Com.-in-Chief Griffin, Op. xciv., Blue Book, 91.

GRIP—See Courts Martial.

G. A. R. COMRADE—See Past Provisional Colonel.

GUILT—See Courts Martial.

HEARSAY EVIDENCE—See Courts Martial.

HONORABLE DISCHARGE—A thief is not entitled to an honorable discharge who has gained admission to the Order before his crime became known. He must be dropped from the rolls.

J. A. Gen. Russell, Op. xiii., 13th, 95.

An honorable discharge granted an ineligible member is void.

Com. in-Chief Hall, Dec. xli., 12th, 32.

Officers of camps have no authority to make erasures or additions to the regular printed form of honorable discharge. A brother receiving such is entitled to another, and if a camp issuing same is not in existence, the Division Commander shall issue one.

Com.-in-Chief Bundy, Dec. xvi., 14th, 31.

The words "For the good of the Order" added to an honorable discharge is such an alteration of the printed form as to entitle the holder to receive another without such addition.

Com.-in-Chief Bundy, Dec. xvi., 14th, 31.

Members who have been granted honorable discharges may be received again by simply being reobligated, after application for and election to membership.

Com.-in-Chief Bundy, Dec. xvii., 14th, 31.

An honorably discharged member who again joins the Order does not regain his past rank.

Com.-in-Chief Griffin, Op. xxxv., Blue Book, 23.

See Camp, Membership, Obligation, Past Division Commander, Past Captain, Ritual, Transfer.

HONORARY MEMBERS—The admission of same not authorized or encouraged.

Com.-in-Chief Rake, Dec. ii., 16th, 28.

See Grand Army of the Republic.

HOSPITAL NURSE—See Membership.

IGNORANCE OF LAW—See Camp.

ILLEGITIMATE SON—See Membership.

IMPOSTERS—See Membership.

IMMATERIAL EVIDENCE—See Courts Martial.

INSPECTION—The Commander-in-Chief cannot grant a dispensation permitting the annual inspection to be made earlier than the time fixed by the Constitution.

Com.-in-Chief Griffin, Op, LIX., Blue Book, 68.

See Swords.

INSTALLATION—Officers-elect failing to be installed at first regular meeting in January, may, if they present themselves at a subsequent meeting with a valid excuse and within a reasonable time, be installed by somebody duly authorized by the Division Commander.

Com.-in-Chief Bundy, Dec. xv., 14th, 30.

Section I, Article IX, page 62, C., R. & R., which provides for public installations, does not apply alone to first regular meeting in January, but to date fixed by the dispensation issued by the Division Commander.

Com. in-Chief Bundy, Dec. xv., 14th, 30.

A Captain can install a staff officer without a commission as Installing Officer.

Com.-in-Chief Bundy, Dec. xv., 14th, 30.

See Camp Office, Dispensation, Officer.

INSTALLING OFFICER—See Installation.

INSIGNIA—An officer of the Order is not entitled to wear any other insignia of rank than that provided by the C., R. & R.

Com.-in-Chief Weeks, Dec. xxiv., 11th, 33.

Officers of S. of V. regiments are not entitled to wear the miniature rank strap provided in the C., R. & R.

Com.-in-Chief Griffin, Op. xci., Blue Book, 83.

INVESTIGATING COMMITTEE—See Membership.

IRON CROSS—See Past Captain.

JUDGE-ADVOCATE-GENERAL—Can only advise the Commander-in-Chief, the Commandery-in-Chief, and Council-in-Chief, and all others who desire his opinion must apply therefor through regular channels.

Com.-in-Chief Webb, Dec. viii., 10th, 30.

JUDGE-ADVOCATE—Cannot give any official decisions in the division. He is the legal adviser of the Division Commander,

Division Council, and Division Encampment when in session.

Com.-in-Chief Webb, Dec. LVIII., 10th, 44.

See Camp, Courts Martial, Division Commander.

JURISDICTION—See Courts Martial, Membership, Transfer.

JUNIOR VICE COMMANDER—See Division.

LAST KNOWN PLACE OF RESIDENCE—See Courts Martial.

LEAVE OF ABSENCE—A Captain cannot use his discretion in granting leave of absence to a brother. It must be granted on application.

Com.-in-Chief Hall, Dec. VII., 12th, 25.

An officer of a camp absent from same for thirty days without a leave of absence from proper authority, should be suspended by the Division Commander.

Com.-in-Chief Webb, Dec. XXX., 10th, 35.

Absence of Lieutenant Colonel (Senior Vice Commander) from division thirty days without authority from Commander-in-Chief vacates office.

Com.-in-Chief Griffin, Op. CVII., Blue Book, 95.

A member of the Division Council is not entitled to participate in the business of his division while off duty on leave of absence.

J. A. Gen. Redmond, Op. V., 16th, 101.

See Division Officer, Courts Martial.

LIEUTENANT—The First or Second Lieutenant can perform the duties of Captain, during his absence.

Com.-in-Chief Webb, Dec. XL., 10th, 38.

See Camp, Captain.

LINEAL DESCENDANT—See Membership.

LOANED—See Camp.

LOYALTY—See Membership.

MASONIC LAWS—Are not recognized as authority in the Sons of Veterans.

Com.-in-Chief Griffin, Op. LXXIII., Blue Book 70.

MALICE—See Courts Martial.

MALE DESCENDANT—See Membership.

MAJORITY VOTE—See Camp Office.

MEMBERSHIP—Applications for membership cannot be received at a special meeting.

Com.-in-Chief Griffin, Op. XXIII., Blue Book, 20.

Application for membership need not be completely filled when received and referred. The committee may fill blanks that are lacking. All principal blanks should be filled before the application is presented to the camp.

Com.-in-Chief Bundy, Dec. xv., 14th, 31.

Action on application must be at a regular meeting of a camp unless a dispensation is secured from the Division Commander for a special meeting for that purpose.

Com.-in-Chief Hall, Dec. XXXIV., 12th, 31.

The term "stated meeting" is held to be a regular meeting, or the meeting fixed by or stated in the camp by-laws.

Com.-in-Chief Griffin, Op. XXIII., Blue Book, 20.

The words "subsequent meeting" when used in connection with action upon application for membership, means a regular meeting following the one at which the application was received.

Com.-in-Chief Hall, Dec. XXXIV., 12th, 31.

An applicant whose father enlisted under an assumed name, should sign his own name, give father's correct name, and *alias*, with explanation and satisfactory evidence that applicant is his son.

Com.-in-Chief Russell, Dec. xv., 15th, 45.

A member holding a transfer card, again applying for membership, should make the application on the regular form and it should accompany the card.

Com.-in-Chief Webb, Dec. XLV., 10th, 40.

One general application for membership is sufficient for the three degrees.

Com.-in-Chief Bundy, Dec. XIV., 14th, 29.

One who has taken the first and second degrees but has not been promoted to the degree of Loyalty, cannot be counted as a member in the quarterly reports, cannot hold office, or be present in the camp room, except for muster work in the degree or degrees he has already taken.

Com. in-Chief Bundy, Dec. XIV., 14th, 30.

If three black balls out of two ballots appeared, the candidates would be rejected, and a contrary decision by the Captain would be null and void.

Com.-in-Chief Hall, Dec. XLIII., 12th, 33.

The name of a rejected applicant should not be published in Orders.

J. A. Gen. Beebe, Op. XI., 12th, 89.

I. ELIGIBILITY TO MEMBERSHIP.

Applicant must be of the full age required by the Constitution.

Com.-in-Chief Griffin, Op. V., Blue Book, 10.

Certificate of membership in G. A. R. sufficient to prove honorable discharge of father.

Com.-in-Chief Hall, Dec. VI., 12th, 25.

Words "male descendant" as used in the eligibility clause of the C., R. & R., was meant to include a son, grandson, or other descendant to the remotest degree.

J. A. Gen. Beebe, Op. I., 12th, 88.

Proof of ancestor's membership in the G. A. R. is sufficient to establish eligibility of son or descendant.

Com.-in-Chief Weeks, Dec. XVI., 11th, 31.

Son of a daughter of a veteran eligible.

J. A. Gen. Beebe, Op. I., 12th, 88.

Grandson or great-grandson of a veteran eligible.

Com.-in-Chief Bundy, Dec. XXIV., 14th, 34.

Grandson is eligible to membership although his father has never joined the Order.

Com.-in-Chief Weeks, Dec. XXIV., 11th, 34.

Step-son is not eligible.

Com.-in-Chief Russell, Dec. IV., 15th, 41; Com.-in-Chief Griffin, Op. IV., Blue Book, 10.

Son of a cashiered soldier is not eligible.

Com.-in-Chief Griffin, Op. VII., Blue Book, 11.

Son of a deserter is not eligible.

Com.-in-Chief Griffin, Op. IX., Blue Book, 11.

Adopted son of a veteran, if adopted by the veteran, is not eligible.

Com.-in-Chief Webb, Dec. LX., 10th, 45.

Illegitimate son is eligible if in all other respects worthy, and it is clearly established that he is the son of a veteran.

Com.-in-Chief Webb, Dec. LIX., 10th, 44.

A person convicted of burglary not eligible.

Com.-in-Chief Webb, Dec. XLII., 10th, 38.

Son of an hospital nurse not eligible.

Com.-in-Chief Webb, Dec. IV., 10th, 29.

Son of a "Contract Surgeon" not eligible.

Com.-in-Chief Hall, Dec. XI., 12th, 26.

A person convicted of stealing and who has served a term in the penitentiary not eligible.

J. A. Gen. Russell, Op. XIII., 13th, 94.

Grandson of Parson Brownlow not eligible.

Com.-in-Chief Bundy, Dec. LVII., 14th, 46.

Son of a member of the U. S. Engineer Corps eligible.

Com.-in-Chief Russell, Dec. XX., 15th, 48.

The statement of an applicant "that his father 'enlisted' in April, 1862, during the late Rebellion, and was discharged in May, 1864, by reason of 'the close of the Rebellion,' and that he had charge of a construction train, is not satisfactory proof."

Com.-in-Chief Bundy, Dec. X., 14th, 26.

A man was conscripted into the Confederate Army, but his sympathies being entirely with the Union he deserted at the first opportunity, joined the Union army, was honorably discharged, and his widow now receives a pension, *held*, that his son is eligible.

Com.-in-Chief Bundy, Dec. XII., 14th, 28.

A Surgeon, who was sent by the Surgeon-General of Massachusetts with twelve others to the battlefield of Chantilly, received subsistence from the Government and rendered valuable aid to the wounded, but who was never mustered into the service, his son is not eligible.

J. A. Gen. Oglesbee, Op. VI., 15th, 106.

Adopted son, when adopted by a veteran, not eligible, and if mustered by mistake should be dropped from the rolls by

order of the Captain, which order should be spread upon the minutes, and the party notified thereof, that he may appeal to the Division Commander, should he so desire. The quarterly report should contain his name as dropped for ineligibility to membership.

Com.-in-Chief Webb, Dec. XXXVI., 10th, 37.

A son of a soldier, who is now an adopted son and whose name has been changed by the legislature, is eligible, and should apply in adopted name, stating the facts as they exist, in the application.

Com.-in-Chief Webb, Dec. I., 10th, 28.

The descendant of a soldier whose record shows desertion, which record has since been officially cleared under Act of Congress, approved March 2, 1889, is eligible.

J. A. Gen. Russell, Op. XXVII., 13th, 97.

A veteran is carried on the rolls of his State as a deserter, but his son offers proof that he died in an army hospital, *held*, that he is not eligible until he has the State record corrected.

Com.-in-Chief Weeks, Dec. VI., 11th, 29.

A soldier enlisted under his mother's maiden name, and was honorably discharged under that name, *held*, that his son is eligible.

Com.-in-Chief Webb, Dec. LXXVIII., 10th, 50.

A citizen enlisted to serve in the Union Army, but died before his company was mustered into the service, *held*, that his son is not eligible.

Com.-in-Chief Webb, Dec. XXXV., 10th, 36.

A discharge reads, "Chief Quartermaster's Office. Johnsville, Tenn., August 22, 1864. Francis H. Bates, carpenter, is this day honorably discharged from the Q. M. Dept., on account of disability." *Held*, not to be such a discharge as is contemplated by the eligibility clause of our Order. Son not eligible.

J. A. Gen. Weeks, Op. V., 10th, 103.

Affidavits of a third person that father was a veteran and was honorably discharged, is not satisfactory evidence of father's service.

Com.-in-Chief Rake, Dec. XIV., 16th, 32.

Father's service in "Unattached Cavalry, Penna.," does not qualify son for membership.

Com.-in-Chief Rake, Dec. v., 16th, 29.

The father's service in the "District Army of Squirrel Hunters," does not qualify the son for membership.

Com.-in-Chief Griffin, Blue Book, 12.

When State troops served in the Union Army under United States officers, and were paid by the United States for their services, and the father's discharge was signed by the Adjutant-General of the State of Ohio and Major Malcom McDowell, of the United States Army then serving upon the staff of General Lew Wallace, it was held to be a discharge within the meaning of our C., R. & R., and the sons are eligible to membership.

Com.-in-Chief Webb, Dec. "McCrillis Case," 10th, 17.

Service in the State militia by the father of the applicant does not make son eligible.

J. A. Gen. Harrington, Op. vi., 14th, 118.

If troops, whether State militia or otherwise, were duly mustered into the service of the United States Government, served therein and were honorably discharged from such service by the United States Government, then sons are eligible, otherwise they are not.

Com.-in-Chief Griffin, Op. 11., Blue Book, 13.

A father's service on the United States military railroads is not sufficient to entitle the son to membership.

Com.-in-Chief Griffin, Op. xii., Blue Book, 13.

A father's service as "citizen wagon-master" is not such as will qualify the son for membership.

Com.-in-Chief Griffin, Op. xiii., Blue Book, 14.

Father's membership in United States Christian Commission is not sufficient to entitle son to membership.

Com.-in-Chief Griffin, Op. xiv., Blue Book, 14.

Father's membership in the Indiana Sanitary Commission does not qualify the son for membership.

Com.-in-Chief Griffin, Op. xv., Blue Book, 14.

Father's service in the War of 1812 does not qualify son for membership.

Com.-in-Chief Griffin, Op. xvi., Blue Book, 16.

The son of one who has borne arms against the United States is ineligible, notwithstanding the subsequent loyal service of his father.

Com.-in-Chief Griffin, Op. xix. and xx., Blue Book, 17.

See United States service.

II. DROPPED MEMBERS.*

Dropped members must pay one year's dues in addition to muster fee.

Com.-in-Chief Weeks, Dec. xvi., 11th, 31.

Dues of dropped member stop when he is dropped.

J. A. Gen. Brown, Op. LXV., Blue Book, 66.

A dropped member can only be reinstated as provided in the C., R. & R.

J. A. Gen. Brown, Op. LXV., Blue Book, 66.

Reinstatement of a dropped member must be *de novo*.

J. A. Gen. Brown, Op. LXIV., Blue Book, 66.

A dropped member can only be legally reinstated upon payment of one year's dues to the camp which dropped him, and

*NOTE. — On the question of reinstatement of dropped members, Commander-in-Chief Darling, in a letter to one of the Division Commanders, gives the following comprehensive review of former decisions bearing upon this point:

In consideration of the provision of C., R. & R., it appears: 1st. That a dropped member of an existing camp must pay one year's dues, together with the stipulated muster fee, to be accompanied by an application for membership in which he states he has been dropped. If he is accepted he may be duly mustered. 2d. That a dropped member of a camp which has ceased to exist, no camp being in existence to receive his arrearages (one year's dues), to re-enter the Order, either obtains a dispensation authorizing a camp to receive his application and re-muster him, paying the special fee of \$2.00 therefor, or to remove the disabilities that make him ineligible and clear up his record with the Order, and thus be enabled, should he desire, to re-enter the Order again, may obtain an honorable discharge upon payment of the same fee, \$2.00.

The whole matter leads to the conclusion that a dropped member has no standing nor legal right to re-enter the Order under any other conditions than are provided for by the Constitution, Rules and Regulations.

then he must first present his application for membership. This is mandatory.

Com.-in-Chief Bundy, Dec. xvii., 14th, 31.

A member who is one year in arrears in the payment of his dues, can lawfully be and should be dropped, regardless of the fact that he had never been previously suspended.

J. A. Gen. Beebe, Op. xiv., 92.

The presumptions are in favor of the regularity of the proceedings of a camp in dropping a member.

Com.-in-Chief Webb, Dec. i., 10th, 28.

If a camp has acted irregularly or illegally in dropping a member, it may undo its action on reconsideration, and the matter must first be presented to the camp before any higher authority can act.

Com.-in-Chief Webb, Dec. i., 10th, 28.

Officers who muster a dropped member after notice that he is such and has not paid the required one year's back dues to the camp that dropped him are subject to court martial.

Com.-in-Chief Bundy, Dec. L., 14th, 43.

The name of a person dropped because ineligible to membership, should not be entered on the Black Book, nor should the proceedings in the case be made public.

Com.-in-Chief Webb, Dec. xxxvi., 10th, 37.

A dropped member of a disbanded camp may re-enter the Order under dispensation as provided in Chapter V, Section 4, C., R. & R.

Com.-in-Chief Bundy, Dec. L., 14th, 43.

A dropped member ceases to be a member of the Order, and the camp loses all authority over him and he owes it no allegiance.

J. A. Gen. Beebe, Op. xiii., 12th, 91.

When a member is dropped from the rolls because ineligible, all the record necessary would be the order of the Captain or Division Commander spread upon the minutes of the camp, and then a notice given to the party, so that he might appeal if he so desires.

J. A. Gen. Russell, Op. xxv., 13th, 97.

The name of a member dropped because ineligible should not be published in orders.

J. A. Gen. Russell, Op. xxv., 13th, 97.

A dropped member must pay one year's dues to the camp that dropped him before he can be reinstated.

Com.-in-Chief Maccabe, Dec. III., 13th, 21.

A dropped member cannot be mustered by another camp until he pays one year's back dues to the camp that dropped him.

Com.-in-Chief Bundy, Dec. I., 14th, 43.

An imposter who represents himself to be a son of a veteran, and thereby gains admission to the Order, may be dropped from the rolls without trial and sentence by court martial.

J. A. Gen. Harrington, Op. xiv, 14th, 121.

See By-Laws, Camp, Dispensation, Dues, Past Rank, Ritual.

III. SUSPENDED MEMBERS.

A vote of a camp is not necessary to suspend a member.

J. A. Gen. Weeks, Op. xxx., 11th, 43.

The distinction between a suspended member and a dropped member lies in the fact that suspension is a temporary matter and a brother while suspended is still a member of the Order, and when a member is dropped he ceases to be a member of the Order.

Com.-in-Chief Webb, LXXIX., 10th, 50.

A suspended member does not cease to be a member of the Order. He is merely precluded from participation in its affairs, cannot hold office, attend meetings of his camp, but the camp still has jurisdiction over him.

J. A. Gen. Beebe, Op. XIII., 12th, 91.

A suspended member may be reinstated by payment of back dues.

Com.-in-Chief Bundy, Dec. LXIV., 14th, 47.

Both the camp and the division must pay back tax on a suspended member who is afterwards reinstated.

Com.-in-Chief Bundy, Dec. LXVI., 14th, 48.

No ceremony is provided for reinstating a suspended member.

The Quartermaster-Sergeant should report to the Captain the payment of dues, and he may properly direct that the member be reported as reinstated from suspension.

J. A. Gen. Brown, Op. LXIII., Blue Book, 66.

A member whose dues are paid to January 1st has a right to vote at an election held April 15 following, not being six months in arrears.

Com.-in-Chief Griffin, Op. xxxiv., Blue Book, 33.

A brother cannot be a member of more than one camp at the same time.

J. A. Gen. Weeks, Op. xxvii., 10th, 108.

A man can be a resident of one State and hold membership in a camp in another State, but he cannot be a member of more than one camp.

Com.-in-Chief Weeks, Dec. vii., 11th, 30.

See Camp, Courts Martial, Dues, Division Commander, Obligation, Office, Regulation Badge, Transfer Card.

MEMORIAL DAY—Its observance is not obligatory on the Sons of Veterans.

Com.-in-Chief Griffin, Op. cix., Blue Book, 97.

MEETINGS—See Membership.

MEDICAL DEPARTMENT—See Army and Navy, Insignia of Rank, Ritual.

MOTTO—A motto may be adopted by a division if it so desires.

Com.-in-Chief Lundy, Dec. XLIX., 14th, 43.

MOTION TO ADJOURN—See Camp.

MUSTER—See Membership—Dropped, Ritual, Special Meeting, Transfer.

MUSTER FEE—See By-Laws, Membership.

NAME—See Camp.

NATIONAL REVEILLE—Is not now the official paper of the Order.

J. A. Gen. Weeks, Op. xii., 10th, 105.

NEW TRIAL—See Courts Martial.

NOMINATIONS—Of camp officers not now required by C., R. & R.

Com.-in-Chief Bundy, Dec. xxvii., 14th, 35.

NOTICE TO ACCUSED—See Courts Martial.

NUMBER—See Camp.

OBLIGATION—The obligation taken by a camp officer is a higher and greater law than the general rules of the Order.

Com.-in-Chief Webb, Dec. LV., 10th, 43.

It is not necessary to reobligate members reinstated from suspension or joining by transfer card.

Com.-in-Chief Bundy, Dec. XXV., 14th, 34.

A member who has received an honorable discharge and is readmitted to membership must be reobligated.

Com.-in-Chief Bundy, Dec. XXV., 14th, 34.

See Courts Martial, Ritual, Transfer.

OBLIGATOR—See Bonds.

OFFICE—Any member in good standing is eligible to any office in the Order.

Com.-in-Chief Maccabe, Dec. XXV., 13th, 25.

Promotion vacates previous rank and office. Two elective and commissioned offices cannot be held by a member at the same time.

Com.-in-Chief Griffin, Op. XXX., Blue Book, 27.

Honorably discharged veterans are not eligible to office in this Order.

Com.-in-Chief Rake, Dec. IV., 16th, 29.

See Insignia.

OFFICERS-ELECT—See Installation, Camp.

OFFICIAL DECISIONS—See Camp.

OGDEN, UTAH—See Camp.

OPINION—See Judge-Advocate-General, Judge-Advocate.

ORDERS—See Courts Martial, Membership, Division Commander.

ORDER OF BUSINESS—See Camp, Captain.

ORDNANCE DEPARTMENT—See Army and Navy.

PAST CAPTAIN—A Division Encampment cannot confer rank of Past Captain upon a brother rejoining who has held that rank, but has lost it by being dropped, or honorably discharged, or transferred, and has permitted the transfer to expire.

J. A. Gen. Russell, Op. XXIX., 13th, 98.

A Captain elected in August and serving to the close of the year is entitled to a seat in the Division Encampment.

Com.-in-Chief Bundy, Dec. xxii., 14th, 33.

A brother who was elected Captain of his camp in August, and served until the close of the year, is entitled to the Iron Cross.

Com.-in-Chief Bundy, Dec. xxii., 14th, 33.

A Past Captain who permits himself to be dropped and again becomes a member of the Order, does not regain his past rank.

J. A. Gen. Russell, Op. v., 13th, 92.

A Past Captain who takes a transfer card, which in time becomes an honorable discharge, and afterwards joins another camp, is not entitled to his past honors.

Com.-in-Chief Bundy, Dec. xli., 14th, 40.

A Past Captain of a camp disbanded in June, 1894, and never reinstated, is given a transfer card by the Division Commander in February, 1897, and immediately deposited it in another camp, under these circumstances he does not regain his rank as Past Captain.

Com.-in-Chief Rake, Dec. ix., 16th, 31.

Past Captain of a disbanded camp entitled to transfer card if in good standing.

Com.-in-Chief Griffin, Op. xli., Blue Book, 39.

A Past Captain who has been honorably discharged does not regain his past rank on re-muster.

Com.-in-Chief Maccabe, Dec. xxviii., 13th, 26.

Suspension of a Past Captain does not carry with it loss of past rank, and upon reinstatement a Past Captain will be entitled to all the privileges of past rank.

Com.-in-Chief Webb, Dec. xiv., 10th, 31.

A Past Captain can only lose his past rank by court martial proceedings, or ceasing to be a member of the Order. The fact that his camp is several quarters in arrears does not affect his past rank.

Com.-in-Chief Webb, Dec. xxxi., 10th, 35.

See Division Encampment, Delegate, Past Officers, Past Rank, Transfer Card.

PAST DIVISION COMMANDER—A Past Colonel or Past Division Commander who has served a full term, which term was less than one year, is entitled to past honors.

Com.-in-Chief Weeks, Dec. xxiv., 11th, 33.

A Past Colonel has a right to vote in the Commandery-in-Chief so long as he is in good standing in the Order.

Com.-in-Chief Griffin, Op. liv., Blue Book, 51.

A Past Colonel suspended retains his past rank after reinstatement.

J. A. Gen. Brown, Op. lxii., Blue Book, 66.

A Past Division Commander honorably discharged does not regain his past rank on re-muster.

Com.-in-Chief Maccabe, Dec. xxviii., 13th, 26.

See Past Officers.

PAST PROVISIONAL COLONEL—A comrade of the G. A. R. who is not a son of a veteran, but who served as Provisional Colonel of a division, is not nor can he be a member of this Order unless made a constitutional life member by the Commandery-in-Chief.

Com.-in-Chief Webb, Dec. xxiv., 10th, 33.

A Past Provisional Colonel is not entitled to rank and vote of Past Colonel.

Com.-in-Chief Griffin, Blue Book, 38.

PAST DIVISION OFFICER—See Courts Martial.

PAST DEPARTMENT COMMANDERS—See Past Post Commanders.

PAST POST COMMANDER—A Past Commander of the Post System, S. of V, both of the post and department, is not entitled to vote on past rank if mustered into this branch since Dec. 31, 1890.

Com.-in-Chief Russell, Dec. xiv., 15th, 45.

PAST OFFICERS—All Past Camp and Division Officers are entitled to past rank and votes as past officers, without regard to the fact of their having removed to another division than that in which they obtained past rank.

J. A. Gen. Weeks, Op. xiv., 10th, 105.

Under resolution of the Ninth Annual Meeting of the Commandery-in-Chief, a past officer who does not come into our

Order with his post, under articles of consolidation, is not entitled to past honors.

Com.-in-Chief Webb, Dec. XIX., 10th, 32.

PAST RANK—A commissioned officer is not deprived of past rank by failure to make reports within specified time.

Com.-in-Chief Russell, Dec. IX., 15th, 43.

See Reports, Past Provisional Colonel, Past Captain, Past Division Commander, Transfer Card.

PASSWORD AND COUNTERSIGN—In sole custody of the Captain. He may order any officer or brother at a meeting of camp to communicate the same to any qualified person.

J. A. Gen. Brown, Op. CII., Blue Book, 93.

After expiration of time for which dues are paid a visiting brother cannot receive password and countersign from the Captain of any other than his own camp, although he may not be six months in arrears.

Com.-in-Chief Maccabe, Dec. XLV., 13th, 30.

Any commanding officer of a camp may communicate password and countersign when a brother presents an order on the back of his receipt for dues for the same, signed by the officers of his camp, *provided*, that he is properly identified, and it is within the period for which the receipt shows the dues to have been paid.

Com.-in-Chief Maccabe, Dec. I., 13th, 20.

If all present have given semi-annual password and countersign in Loyalty degree, that is sufficient without taking password of each degree.

Com.-in-Chief Bundy, Dec. XIV., 14th, 30.

See Division Commander, Transfer Card.

PAY DEPARTMENT—See Army and Navy.

PARSON BROWNLOW—See Membership—Eligibility.

PER CAPITA TAX—A Division Encampment held April 28–30, 1896, increased the per capita tax from 50 cents to 60 cents, *held*, that camps must pay increased tax for quarter in which encampment was held, viz.: June 30, 1896.

Com.-in-Chief Russell, Dec. XXVII., 15th, 51.

Camp must pay for quarter in which member was mustered.

Com.-in-Chief Russell, Dec. XXI., 15th, 48.

The Constitution does not recognize any fractional quarter.

A recruit mustered the first day of the quarter, or the last day of the quarter, the camp must pay tax on him in each instance for that quarter.

J. A. Gen. Shaw Van, Op. XVII., 11th, 41.

Camps must pay back tax on reinstated members, covering period of suspension.

Com.-in-Chief Bundy, Dec. LIV., 14th, 44.

Neither the Division Council nor the Division Encampment has power to remit the per capita tax due from any camp.

Com.-in-Chief Maccabe, Dec. XXV., 13th, 25.

See Camp, Council-in-Chief, Division Commander, Division Council.

PENNSYLVANIA DIVISION—When a new charter was granted the Pennsylvania Division in 1888, after the consolidation of the Eastern and Western Divisions, all agreements made prior to that time, not mentioned in the C., R & R. or the Division By-Laws, were done away with and are of no force and effect.

J. A. Gen. Redmond, Op. VI., 16th, 102.

PENITENTIARY—See Courts Martial—Notice to Accused.

POST SYSTEM—A member of a camp who was suspended, dropped, or dishonorably discharged from the camp and afterwards joined a post cannot be permitted to join the Camp System with his post.

Com. in-Chief Webb, Dec. XXVI, 10th, 34.

See Camp, Charter, Past Post Commander.

POWERS—See Commandery-in-Chief.

PROXY—See Delegate, Division Encampment.

PRINCIPAL—See Bonds.

PROPERTY OF CAMP—See Camp.

“PUBLIC MANNER”—See Courts Martial—Charge.

QUARTERMASTER-GENERAL—The rank of Assistant Quartermaster-General is that of Colonel as per U. S. Army Regulations.

Com.-in-Chief Hall, Dec. XXIII., 12th, 29.

See Bonds.

QUARTERMASTER—A Quartermaster elected by the Division Encampment is commissioned by the Division Commander. This commission cannot be revoked at the pleasure of the Division Commander, as in the case of other staff officers.

Com.-in-Chief Bundy, Dec. XXXII., 14th, 37.

When the Quartermaster is elected for a term of years and his headquarters fixed by the Division Encampment, the Division Commander has no right to remove from said headquarters books, papers, blanks, etc., belonging to that department, so long as the Quartermaster is not under discipline.

Com.-in-Chief Rake, XXII., 16th, 35.

A brother cannot hold the office of Quartermaster of a division and Camp Captain at the same time.

Com.-in-Chief Bundy, Dec. XXXIX., 14th, 39.

QUARTERMASTER-SERGEANT—A Quartermaster-Sergeant's bond in a less sum than \$100 is not a good and sufficient bond.

Com.-in-Chief Hall, Dec. XLII., 12th, 32.

See Camp, Division Encampment, Membership—Suspended.

QUARTERLY REPORT—See Membership.

QUORUM—See Courts Martial.

RANK—See Camp Council.

REBELLION—See Camp—Suspended.

RECRUIT—See Special Meeting.

RELIEF COMMITTEE—Must be made up as C., R. & R. provides. Camp or Division By-Laws conflicting with the C., R. & R. in this or other respects invalid.

Com.-in-Chief Griffin, Op. XXXV., Blue Book, 34.

See Ritual.

REVIEW—See Appeal.

RECORD—See Courts Martial.

RESIDENCE—See Membership.

RESIGNATION—See Camp Officers.

REGULATION BADGE—Member not entitled to admission to his camp unless wearing regulation badge.

Com.-in-Chief Russell, Dec. XXV., 15th, 49.

Member cannot vote or transact business in his camp unless clothed in regulation badge. This is mandatory.

Com.-in-Chief Russell, Dec. xxv., 15th, 50.

See Badges.

REGULATION UNIFORM—The section of the C., R. & R. authorizing use of the uniform of the United States Army is permissory only.

J. A. Gen. Oglesbee, Op. III., 105.

The “regulation uniform of the United States Army” is held to include shoulder straps, shoulder knots, and all the paraphernalia and regalia incident thereto.

J. A. Gen. Oglesbee, Op. III., 15th, 105.

REGULAR MEETING—See Membership, Camp.

REPORTS—Camps should send reports to the Division Surgeon on or before Dec. 30.

Com.-in-Chief Russell, Dec. v., 15th, 41.

Failure to make reports within specified time deprives a commissioned officer of seat in Encampment, Division or National, notwithstanding that such officer holds past rank which ordinarily entitles him to a seat.

Com.-in-Chief Russell, Dec. ix., 15th, 43.

See Encampment, Camp—Suspended, Commandery-in-Chief.

REPORT OF MEMORIAL DAY EXERCISES—See Division Encampment.

REPRESENTATION—See Commandery-in-Chief, Courts Martial, Division Encampment.

REJECTION—See Membership, Ballot.

REINSTATEMENT—See By-Laws, Camp, Membership—Dropped, Camp—Suspended, Obligation, Transfer, Membership—Suspended.

REVOCATION—See Camp.

REVOKED—See Division Commander, Charter.

REMUSTER—See Membership, Past Division Commander, Past Captain.

REMEDY AT LAW—See Bond.

REMISSION OF DUES—See Camp.

RESOLUTIONS—See Division Encampment, Courts Martial.

RIGHTS AND PRIVILEGES—See Courts Martial.

RITUAL—Camps cannot possess a greater number than is allowed by the laws of the Order.

Com.-in-Chief Bundy, Dec. XIV, 14th, 30.

The obligations may be administered in sign language to the deaf and dumb.

Com.-in-Chief Bundy, Dec. XXIII., 14th, 33.

Whenever there is a conflict of terms between the Ritual and the C., R. & R., the latter governs.

Com.-in-Chief Bundy, Dec. XXVI., 14th, 35.

No brother but an officer of a camp has a right to possess a Ritual.

Com.-in-Chief Griffin, Op. CII., Blue Book, 93.

Division Commanders must not sell extra copies to individual members.

Com.-in-Chief Bundy, Dec. XIII, 14th, 29.

Discretionary with camp whether it gives the three degrees in one evening.

Com.-in-Chief Bundy, Dec. XIV., 14th, 29.

Members in good standing January 1, 1895, entitled to all the secret work of the three degrees, without reobligation or remuster.

Com.-in-Chief Bundy, Dec. XIV., 14th, 29.

Members who were suspended at the time the new Ritual went into effect, (January 1, 1895,) entitled to receive the secret work of all the degrees without reobligation or reinstatement.

Com.-in-Chief Bundy, Dec. XIV, 14th, 29.

Members reaffiliating through transfer cards previously granted and which did not expire previous to January 1, 1895, entitled to all the secret work of the three degrees of the new Ritual without reobligation.

Com.-in-Chief Bundy, Dec. XIV., 14th, 29

One honorably discharged may be readmitted into the Order without muster, but he must take anew the obligations.

Com.-in-Chief Bundy, Dec. XIV., 14th, 29.

Dropped members must be initiated same as new recruits when again admitted.

Com.-in-Chief Bundy, Dec. XXV., 14th, 34.

Neighboring camps may interchange team work but obligations should be conferred by the Chaplain of the camp of which the recruit is to become a member.

Com.-in-Chief Bundy, Dec. xx., 14th, 32.

A Commander-in-Chief can authorize no side degrees nor can he modify, alter or amend the Ritual in any respect.

Com.-in-Chief Griffin, Op. cvl., Blue Book, 94.

Any manner of mustering in so far as it does not change the Ritual, is permissible. Artistic effects are helpful for impressiveness.

J. A. Gen. Brown, Op. cv., Blue Book, 94.

The words, "return of this sign," in the Ritual does not mean that the Captain shall make the same sign in return, but he should acknowledge it with the gavel or with the hand.

J. A. Gen. Brown, Op. cii., Blue Book, 93.

It would be appropriate for the Captain to take a new member by the hand when congratulating him on his muster, but this is entirely discretionary.

J. A. Gen. Brown, Op. ciii., Blue Book, 93.

To close a camp in "due form" means according to Ritual.

Com.-in-Chief Webb, Dec. xxiii., 10th, 33.

There is a misprint in the new Ritual where it reads after the inquiry, "Does any one know of a sick brother," etc., that the *Captain* as chairman of the Relief Committee will report, etc. The word "*Chaplain*," should be substituted for *Captain*.

Com.-in-Chief Bundy, Dec. xxvi., 14th, 35.

On page 26 of the Ritual, what is the position of the Chaplain, at the altar or at his post, and does line form between Second Lieutenant and Chaplain, facing the altar? Proper position of Chaplain in administering an obligation is at the altar. Positions should be the same as in other degrees.

Com.-in-Chief Bundy, Dec. xiv., 14th, 30.

It is not necessary that the Picket Guard should approach the altar to make the salute each time he retires or re-enters for the purpose of admitting late comers; the salute given from his station should answer every purpose.

Com.-in-Chief Rake, Dec. xv., 16th, 32.

When the Sergeant of the Guard retires to execute an order, upon re-entering the camp room he should salute at the altar.

Com.-in-Chief Rake, Dec. xv., 16th, 32.

While it is true that certain of the charges to the recruit plainly inform him that he can be admitted to another camp only when the Captain or Lieutenants of his own camp are present to vouch for him, it must be evident that the intention of the framers of this language was other than it appears to us in type, since to comply with the same would practically prevent those visitations to other camps, which become necessary and desirable.

Com.-in-Chief Rake, Dec. xv., 16th, 33.

RIBBON—See Chaplain.

ROLL CALL—Names of officers as well as members should be called at roll call.

J. A. Gen. Brown, Op. ciii., Blue Book, 93.

See Camp, Division Commander.

SEVERE PENALTIES—See Courts Martial.

SECRET WORK—See Ritual.

SERGEANT-MAJOR—See Division Encampment.

SENTENCE—See Courts Martial.

SERVICE ON ACCUSED—See Courts Martial.

SESSION—See Courts Martial.

SHOULDER STRAPS—By the action of the Thirteenth Annual Encampment the use of shoulder straps and shoulder knots was made optional, but if used shall contain letters "S. V." according to pattern displayed at the Encampment, *held*, that this action was not a constitutional amendment, but merely directory, and either the shoulder strap of the United States or the aforesaid design may be worn at the option of divisions.

Com.-in-Chief Bundy, Dec. ix, 14th, 25.

See Regulation Uniform.

SHOULDER KNOTS—See Shoulder Straps, Regulation Uniform.

SILVER CROSS—See Dispensation.

SIDE ARMS—See Division Officers.

SIDE DEGREES—See Ritual.

SIGN LANGUAGE—See Ritual.

SIGNAL CORPS—See Army and Navy.

SLANDER—See Courts Martial.

SPECIFICATIONS—See Courts Martial.

STAFF—See Division, Installation.

STATE—See Membership.

STATE MILITIA—See Membership—Eligibility.

SURETIES—See Bonds.

SUSPENSION—See Transfer, Captain.

SUSPENDED CAMP—See Division Encampment, Transfer, Dues.

SUSPENDED MEMBER—See Post System, Dues, Ritual, Membership.

“ SUBSEQUENT MEETING ”—See Membership.

SUPPLIES—See Council-in-Chief.

SURRENDER—See Transfer.

SURGEON—Should report to and receive general instructions from the Surgeon-General regarding matters within his Division and not conflicting with his duties to and orders from the Division Commander.

Com.-in-Chief Griffin, Op LII., Blue Book, 46.

See Membership, Reports.

SWORDS—Camp equipped with swords would not receive any consideration for arms or equipments upon inspection.

Com.-in-Chief Bundy, Dec. XLVII., 14th, 42.

SYSTEMS, OTHER—See Camps.

THEFT—See Membership—Eligibility.

THREE-FOURTHS VOTE—See Transfer.

TIME AND PLACE OF MEETING—See Division Encampment.

TIME LIMIT OF LIABILITY—See Bonds.

TIME OF MEETING—See By-Laws.

TITLES—The titles of Camp Officers, when changed by the Commandery-in-Chief, apply to those elected to office prior to the change and who were in office at the time the change went into effect.

Com.-in-Chief Weeks, Dec. XXI., 11th, 33.

TRANSFER—Members in good standing of camp whose charter is revoked are entitled to transfers.

J. A. Gen. Russell, Op. XXXII., 13th, 100.

The intent of Chapter II, Article IV, Section 4, C., R. & R., is that transfer cards shall be issued at or about the time of the disbandment of the camp.

Com.-in-Chief Rake, Dec. IX., 16th, 31.

A transfer need not necessarily bear date of disbandment of camp.

Com.-in-Chief Russell, Dec. XIII., 15th, 45.

A camp can demand a fee for a transfer card and refuse to give the same until it is paid.

J. A. Gen. Weeks, Op. XIX., 10th, 106.

While the rules and practice of the G. A. R. are opposed to the establishing of fees for transfers, it is to be observed that the Constitution of the G. A. R. entitles any comrade to a transfer card who has paid all *dues*, whereas our Constitution requires that he shall have paid all *debts*.

J. A. Gen. Weeks, Op. XIX., 10th, 106.

A Captain must issue a transfer card to a brother on application if he is in good standing in all respects.

Com.-in-Chief Griffin, Op. XXIV., Blue Book, 23.

A brother already a member of a camp cannot be mustered into another camp without a transfer card.

Com.-in-Chief Griffin, Op. XXIV., Blue Book, 23.

A member to be entitled to a transfer card must be in good standing, with no charges existing against him, and his written application for a transfer must be presented at some stated meeting of his camp. It is not necessary that he be present.

Com.-in-Chief Bundy, Dec. LII., 14th, 44.

A brother holding a transfer cannot visit camps.

Com.-in-Chief Bundy, Dec. XI., 14th, 27.

A brother's signature to a transfer need not be made in the presence of the Captain and First Sergeant if he is in a distant state. It may be witnessed by any brother near at hand who shall be designated by the Commander for that purpose.

Com.-in-Chief Bundy, Dec. LII., 14th, 44.

A holder of a transfer is not a member in good standing of the Order before the same is deposited in some camp. His status is fully defined in Chapter II, Article IV, Section 2, C., R. & R.; while holding a card he is subject to the camp or division issuing same for jurisdictional purposes only—in other words, he is amenable to discipline.

Com.-in-Chief Maccabe, Dec. XXXIII., 13th, 27.

Camp's jurisdiction over transferred member embraces the right to take it away if the recipient should be guilty of any breach of discipline cognizable by the laws of the Order.

Com.-in-Chief Bundy, Dec. XI., 14th, 28.

A brother on a transfer is not eligible to perform any work or duty, and is a member of the Order for purposes of discipline only.

Com.-in-Chief Bundy, Dec. LIX., 14th, 46.

Members admitted on transfer cannot be properly compelled to take any obligation.

Com.-in-Chief Bundy, Dec. XVII., 14th, 31.

A brother holding a valid transfer card becomes honorably discharged at the expiration of a year from its date, and upon being elected to membership again may be admitted without ceremony of muster. The Captain can use his discretion as to omission of muster ceremony.

J. A. Gen. Russell, Op. V., 13th, 92.

A transferred brother applies for admission to a camp, the application was regularly referred, favorably reported and a ballot had, resulting in ten white balls and three black ones being cast, there being thirteen members present and voting, *held*, that three-fourths of the members present having voted in favor of his admission, he was elected.

Com.-in-Chief Webb, Dec. III., 10th, 29.

A member holding a transfer applies for membership to a camp and is rejected, his name should not be published in Division Orders as having been rejected.

Com.-in-Chief Webb, Dec. LXIII., 10th, 46.

If a former member of a disbanded camp deposits his transfer within the period of its life, he retains all past honors.

Com.-in-Chief Rake, Dec. XVII., 16th, 33.

Should the Division Commander through any neglect, fail to issue transfers to members in good standing of disbanded camps, such members would have their remedy.

Com.-in-Chief Rake, Dec. IX., 16th, 31.

It would seem to be equitable that the power to grant a transfer after one year from the date of disbandment of a camp should not be exercised.

Com.-in-Chief Rake, Dec. IX, 16th, 31.

A camp under suspension cannot legally issue a transfer to its members

Com.-in Chief Russell, Dec. XXII., 15th, 48.

A Division Commander cannot grant a transfer to a member of a suspended camp.

Com.-in-Chief Maccabe, Dec. I., 13th, 21.

A brother in good standing at the time of the disbandment of his camp who fails to obtain a transfer may secure one of the Division Commander at any time.

Com.-in-Chief Russell, Dec. XIII., 15th, 45.

Opinion xxxii. of J. A. Gen. Russell (13th, 100), in referring to members entitled to transfers from the Division Commander, does not mean members in good standing at the time of the *suspension* but at the time of the dissolution of the camp.

J. A. Gen. Russell, Op. XXXVI., 13th, 103.

Not necessary for a camp to be reinstated for the Division Commander to issue transfers. As soon as he is furnished the proper list he must issue to those entitled to receive them.

Com.-in Chief Russell, Dec. XXII., 15th, 48.

See By-Laws, Camp, Division Officers, Division, Dues, Division Commander, Division Staff, Past Captain, Ritual.

UNIFORM—The wearing of a uniform while attending camp meetings is not compulsory.

Com.-in-Chief Rake, Dec. xv., 16th, 32.

A Division Commander cannot by dispensation permit the use of any uniform other than that prescribed by the C., R. & R.

Com.-in-Chief Griffin, Op. LXXXVI., Blue Book, 81.

Turkish Zouave uniform cannot be adopted as the legal uniform of a camp as it does not conform to United States Regulations.

Com.-in-Chief Bundy, Dec. xxvii., 14th, 35.

A division cannot adopt pantaloons other than those specified by the C., R. & R.

Com. in-Chief Griffin, Op. LXXXIV., Blue Book 80

See Camp, Chaplain, Regulation Uniform.

UNIFORMED CAMP—If 40 out of 45 members are uniformed, they constitute a “uniformed camp.”

Com.-in-Chief Griffin, Op. LXXXVII., Blue Book, 81.

UNBECOMING LANGUAGE—See Courts Martial.

UNDER AGE—See Membership.

UNITED STATES SERVICE—Muster-in is essential to entry into the United States Service.

J. A. Gen. Harrington, Op. v., 14th, 118. See Griffin, Op. x ; Weeks, Op. xxxv.

UTAH—See Camp.

USUAL PLACE OF ABODE—See Courts Martial.

VACANCY—See Camp Officers, Division Encampment, Division Office, Division Council.

VETERANS—See Officers.

VISITATIONS—See Transfer.

VOTE—See Division Encampment.

WITNESSES—See Courts Martial.

APPENDIX.

Decisions I. to IX. of Commander-in-Chief Charles K. Darling and Opinions
I. to VII. of Judge-Advocate-General Edward K. Gould,
rendered the present term.

BALLOT—(On page six of this Digest there is a decision which holds that a ballot is necessary for each degree. By the action of the Sixteenth Annual Encampment, the printed proceedings of which have been received since this Digest went to press, ballot for each degree has been dispensed with.—E. K. G.)

CHARTER—A legal quorum (5) is fixed as the minimum number of members in good standing, necessary to hold a charter.
Dec. I., (J. A. Gen., Op. I.)

COMMISSION—Two commissions cannot be held by the same person at the same time.
Decision III.

COURTS MARTIAL—A brother serving a sentence of suspension cannot be tried on another charge during the period of suspension.
Dec. IV., (J. A. Gen., Op. IV.)

Original jurisdiction not in Commander-in-Chief to convene a court martial for the trial of a Past Captain.
Dec. II., (J. A. Gen., Op. II.)

Past Commanders-in-Chief and Past Grand Division Commanders are the only "past officers" over which the Commander-in-Chief has original court martial jurisdiction.
Dec. II., (J. A. Gen., Op. II.)

Indecent and unbecoming words, although not actionable in themselves, when addressed to a veteran of the late war, make the offender subject to court martial.
Dec. II., (J. A. Gen., Op. II.)

One year's suspension from membership not an excessive sentence for using indecent and unbecoming words to a veteran.

Dec. II., (J. A. Gen., Op. II.)

DISPENSATION—A Division Commander has no power to grant a dispensation to a camp for the muster of a recruit who had been elected and received two degrees in another camp.

Dec. III., (J. A. Gen., Op. III.)

JURISDICTION—A camp can surrender jurisdiction over a recruit who having received only the degrees of Friendship and Charity, changes his residence, and desires to take the degree of Loyalty in another camp.

Dec. III., (J. A. Gen., Op. III.)

MEMBERSHIP—A member six months in arrears in the payment of his dues is a suspended member, notwithstanding he may not be reported as such in the quarterly returns.

Dec. VIII., (J. A. Gen., Op. V.)

A member twelve months in arrears in the payment of his dues is "dropped" by operation of law, even if not so reported in the quarterly returns of his camp.

Dec. VII., (J. A. Gen., Op. V.)

A vote of the camp is not necessary to suspend a member.

Dec. VII., (J. A. Gen., Op. V.)

A discharge reads, "This is to certify that the bearer, Chas. Shead, has been employed in the Quartermaster's Department under my direction, and has been honorably discharged this 31st day of March, 1865. John Godfrey, Captain and Assistant Quartermaster." *Held*, that the son of Charles Shead is not eligible to membership.

Decision V.

PAST CAPTAIN—A sitting Captain whose camp surrenders its charter in December, when his term is nearly completed, and he is granted a transfer which acknowledges him as sitting Captain, and deposits it at once in another camp, is not entitled to past rank and the Iron Cross, not having completed a "full term."

Dec. IX., (J. A. Gen. Op. VII.)

QUORUM—When the return of a camp shows a less number than a quorum in good standing, the Division Commander should demand the surrender of its charter.

Dec. I., (J. A. Gen., Op. I.)

TRANSFER—Issued to a division officer whose camp disbands, does not vacate the office if due diligence is used to deposit it in another camp.

Dec. VIII., (J. A. Gen., Op. VI.)

A candidate who has only received the degrees of Friendship and Charity is not entitled to a transfer.

Dec. III., (J. A. Gen., Op. III.)

VETERANS—The respect and deference paid by a private to an officer in the United States Army should be the rule of conduct governing members in their relations to Union veterans.

Dec. II., (J. A. Gen., Op. II.)













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